# ASSEMBLY SUBSTITUTE AMENDMENT 1,

# TO 1999 ASSEMBLY BILL 133

June 10, 1999 – Offered by JOINT COMMITTEE ON FINANCE.

AN ACT **relating to:** state finances and appropriations, constituting the executive budget act of the 1999 legislature.

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***Analysis by the Legislative Reference Bureau***

**GUIDE TO NONSTATUTORY MATERIAL**

As is the case for all other bills, the sections of the budget bill that affect statutes are organized in ascending numerical order of the statutes affected.

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

The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four–digit section number indicate the type of provision:

**91XX Nonstatutory provisions.**
**92XX Appropriation changes.**
**93XX Initial applicability.**
**94XX Effective dates.**

The remaining two digits indicate the state agency to which the provision relates:

**XX01 Administration.**
**XX02 Adolescent pregnancy prevention and pregnancy services board.**
**XX03 Aging and long–term care board.**
**XX04 Agriculture, trade and consumer protection.**
**XX05 Arts board.**
**XX06 Boundary area commission, Minnesota–Wisconsin.**
**XX07 Building commission.**
**XX08 Child abuse and neglect prevention board.**
**XX09 Circuit courts.**
**XX10 Commerce.**
**XX11 Corrections.**
**XX12 Court of appeals.**
**XX13 Educational communications board.**
**XX14 Elections board.**
**XX15 Employe trust funds.**
**XX16 Employment relations commission.**
**XX17 Employment relations department.**
**XX18 Ethics board.**
**XX19 Financial institutions.**
**XX21 Governor.**
**XX22 Health and Educational Facilities Authority.**
**XX23 Health and family services.**
**XX24 Historical society.**
**XX25 Housing and Economic Development Authority.**
**XX26 Insurance.**
**XX27 Investment board.**
**XX28 Joint committee on finance.**
**XX29 Judicial commission.**
**XX30 Justice.**
**XX31 Legislature.**
**XX32 Lieutenant governor.**
**XX33 Lower Wisconsin state riverway board.**
**XX34 Medical College of Wisconsin.**
**XX35 Military affairs.**
**XX36 Natural resources.**
**XX37 Personnel commission.**
**XX38 Public defender board.**
**XX39 Public instruction.**
**XX40 Public lands, board of commissioners of.**
**XX41 Public service commission.**
**XX42 Regulation and licensing.**
**XX43 Revenue.**
**XX44 Secretary of state.**
**XX45 State fair park board.**

**XX46 Supreme Court.**
**XX47 Technical college system.**
**XX48 Technology for educational achievement in Wisconsin board.**
**XX49 Tourism.**
**XX50 Transportation.**
**XX51 Treasurer.**
**XX52 University of Wisconsin Hospitals and Clinics Authority.**
**XX53 University of Wisconsin Hospitals and Clinics Board.**
**XX54 University of Wisconsin System.**
**XX55 Veterans affairs.**
**XX56 World Dairy Center Authority.**
**XX57 Workforce development.**
**XX58 Other.**

For example, for general nonstatutory provisions relating to the historical society, see SECTION 9124. For any agency that is not assigned a two–digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two–digit identification number or any provision that does not relate to the functions of a particular agency, see number "58" (**other**) within each type of provision.

In order to facilitate amendment drafting and the enrolling process, separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading. Section numbers and headings for which there are no provisions will be deleted in enrolling and will not appear in the published act.

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

1 **SECTION 1b.** 1.13 of the statutes is created to read:

2 **1.13 Land use planning activities. (1)** In this section:

3 (a) "Local governmental unit" has the meaning given in s. 1.12 (1) (a).

4 (b) "State agency" has the meaning given in s. 1.12 (1) (b).

5 **(2)** Each state agency shall ensure that, consistently with other laws, the

6 actions of the agency are designed to further the following goals:

(a) Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.

(b) Encouragement of neighborhood designs that support a range of transportation choices.

(c) Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces and groundwater resources.

(d) Protection of economically productive areas, including farmland and forests.

(e) Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state governmental and utility costs.

(f) Preservation of cultural, historic and archaeological sites.

(g) Encouragement of coordination and cooperation among nearby units of government.

(h) Building of community identity by maintaining physical separation between urban areas, revitalizing main streets and enforcing design standards.

(i) Providing an adequate supply of affordable housing for individuals of all income levels throughout each community.

(j) Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.

(k) Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.

(L) Balancing individual property rights with community interests and goals.

(m) Planning and development of land uses that create or preserve varied and unique urban and rural communities.

**(3)** Each state agency shall ensure that, consistently with other laws, whenever it administers a law under which a local governmental unit prepares a plan, the actions of the local governmental unit under the plan are designed to further the goals specified in sub. (2), to the extent applicable.

**SECTION 1c.** 6.92 (intro.) of the statutes is renumbered 6.92 and amended to read:

**6.92 Inspector making challenge.** Each inspector shall challenge for cause any person offering to vote whom the inspector knows or suspects is not a qualified elector. If a person is challenged as unqualified by an inspector, one of the inspectors shall administer the following oath or affirmation to the person: "You do solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding your place of residence and qualifications as an elector of this election"; and shall then ask ~~those of the following~~ questions which are appropriate as determined by the board, by rule, to test the person's qualifications~~:~~.

**SECTION 1g.** 6.92 (1) to (6) of the statutes are repealed.

**SECTION 1h.** 6.925 (intro.) of the statutes is renumbered 6.925 and amended to read:

**6.925 Elector making challenge in person.** Any elector may challenge for cause any person offering to vote whom the elector knows or suspects is not a qualified elector. If a person is challenged as unqualified by an elector, one of the inspectors may administer the oath or affirmation to the challenged elector under s. 6.92 and ask the challenged elector the questions under that section which are appropriate to test the elector's qualifications. In addition, one of the inspectors shall

administer the following oath or affirmation to the challenging elector: "You do solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding the challenged person's place of residence and qualifications as an elector of this election"; and shall then ask ~~those of the following~~ questions which are appropriate as determined by the board, by rule, to test the qualifications of the challenged elector~~:~~.

**SECTION 1j.** 6.925 (1) to (6) of the statutes are repealed.

**SECTION 1k.** 13.101 (4a) of the statutes is repealed.

**SECTION 1m.** 13.101 (4b) of the statutes is repealed.

**SECTION 1p.** 13.101 (4g) of the statutes is repealed.

**SECTION 1r.** 13.101 (4i) of the statutes is created to read:

13.101 **(4i)** (a) The department of natural resources and the department of agriculture, trade and consumer protection shall present to the committee a schedule for transferring funds from the appropriation account under s. 20.370 (6) (aa) to the appropriation account under s. 20.115 (7) (c) or from the appropriation account under s. 20.370 (6) (aq) to the appropriation account under s. 20.115 (7) (qd), or both, for the purpose of providing funding under s. 92.14 (3) (a).

(b) The committee may transfer funds as provided in the schedule under par. (a). If the committee transfers funds from the appropriation account under s. 20.370 (6) (aa) to the appropriation account under s. 20.115 (7) (c) in a fiscal year, the amounts in the schedule under s. 20.005 for the appropriation under s. 20.370 (6) (aa) for that fiscal year are decreased by the amount of the transfer. If the committee transfers funds from the appropriation account under s. 20.370 (6) (aq) to the appropriation account under s. 20.115 (7) (qd) in a fiscal year, the amounts in the schedule under s. 20.005 for the appropriation under s. 20.370 (6) (aq) for that fiscal

year are decreased by the amount of the transfer and the amounts in the schedule under s. 20.005 for the appropriation under s. 20.115 (7) (qd) for that fiscal year are increased by the amount of the transfer.

**SECTION 1t.** 13.101 (11) of the statutes is amended to read:

13.101 **(11)** The committee may approve a clean water fund program interest rate change as specified under s. 281.58 (12) (f)<u>, an urban storm water loan program interest rate change as specified in s. 281.595 (11) (b)</u> or a safe drinking water loan program interest rate change as specified under s. 281.61 (11) (b).

**SECTION 1v.** 13.101 (15) of the statutes is created to read:

13.101 **(15)** Notwithstanding sub. (3) (a), if the department of administration requests the joint committee on finance to supplement the appropriation under s. 20.505 (1) (ku) from the appropriation under s. 20.865 (4) (g), the committee may supplement the appropriation by not more than $500,000 in any fiscal year to provide a grant to one or more eligible counties if the committee finds that the proposed grantee or grantees are eligible to receive a grant under s. 16.18. Notwithstanding sub. (3) (a), no finding of emergency is required for the committee to act in accordance with this subsection.

**SECTION 2r.** 13.48 (7) of the statutes is amended to read:

13.48 **(7)** BIENNIAL RECOMMENDATIONS. The building commission shall prepare and formally adopt recommendations for the long–range state building program on a biennial basis. Unless a later date is requested by the building commission and approved by the joint committee on finance, the building commission shall, no later than the first Tuesday in April of each odd–numbered year, transmit ~~its~~ <u>the report prepared by the department of administration under s. 16.40 (20) and the commission's</u> recommendations for the succeeding fiscal biennium that require

legislative approval to the joint committee on finance in the form of proposed legislation prepared in proper form.

**SECTION 2s.** 13.48 (14) (e) of the statutes is amended to read:

13.48 **(14)** (e) If the state office building located at 3319 West Beltline highway in Dane county is sold by the state, the building commission shall ensure that the transferee pays $476,228 from the proceeds of the sale to the Wisconsin Public Broadcasting Foundation, if the foundation exists at the time of the transfer <u>and if the secretary of administration does not transfer title to the building under s. 39.87 (2) (a) 2</u>.

**SECTION 2t.** 13.48 (15) of the statutes is amended to read:

13.48 **(15)** ACQUISITION OF LEASEHOLD INTERESTS. ~~The~~ <u>Subject to the requirements of s. 20.924 (1) (im) and (j), the</u> building commission shall have the authority to acquire leasehold interests in land and buildings where such authority is not otherwise provided to an agency by law.

**SECTION 3e.** 13.48 (19) of the statutes is renumbered 13.48 (19) (a) and amended to read:

13.48 **(19)** (a) Whenever the building commission determines that the use of innovative types of design and construction processes will make better use of the resources and technology available in the building industry, the building commission may waive any or all of s. 16.855 if such action is in the best interest of the state and if the waiver is accomplished through formal action of the building commission. ~~The~~ <u>Subject to the requirements of par. (b) and s. 20.924 (1) (i) and (j), the</u> building commission may authorize the lease, lease purchase or acquisition of such facilities constructed in the manner authorized by the building commission. ~~The~~ <u>Subject to the requirements of par. (b) and s. 20.924 (1) (i), the</u> building commission may also

authorize the lease, lease purchase or acquisition of existing facilities in lieu of state construction of any project enumerated in the authorized state building program.

**SECTION 3f.** 13.48 (19) (b) of the statutes is created to read:

13.48 **(19)** (b) The building commission may not lease or acquire a building, structure or facility for the purpose of confining persons serving a sentence of imprisonment to the Wisconsin state prisons under ch. 973 unless the person who undertakes construction or conversion of the building, facility or structure has met the requirements of s. 301.19 (2) and has complied with the agreement under s. 20.924 (1) (i).

**SECTION 3g.** 13.48 (25t) of the statutes is created to read:

13.48 **(25t)** WISBUILD INITIATIVE. There is created a program, to be known as the "Wisbuild initiative", for the purpose of providing financial support for the maintenance, repair and renovation of state–owned buildings. Funding may be provided under the initiative for high priority, comprehensive building renovation projects, as well as for the maintenance and repair of the exterior components of buildings and, without limitation because of enumeration, systems such as mechanical, electrical, plumbing and other building systems. Funding may also be provided under the initiative for projects to remove barriers that reduce access to and use of state facilities by persons with disabilities. The building commission shall allocate available funding for the initiative. Projects funded as a part of the initiative shall be financed from the appropriation under s. 20.866 (2) (z) or as otherwise provided in the authorized state building program.

**SECTION 3gm.** 13.48 (26) of the statutes is amended to read:

13.48 **(26)** ENVIRONMENTAL IMPROVEMENT ANNUAL FINANCE PLAN APPROVAL. The building commission shall review the versions of the biennial finance plan and any

amendments to the biennial finance plan submitted to it by the department of natural resources and the department of administration under s. 281.59 (3) (bm) and the recommendations of the joint committee on finance and the standing committees to which the versions of the biennial finance plan and any amendments were submitted under s. 281.59 (3) (bm). The building commission shall consider the extent to which that version of the biennial finance plan that is updated to reflect the adopted biennial budget act will maintain the funding for the clean water fund program and the safe drinking water loan program, in the environmental improvement fund, in perpetuity. The building commission shall consider the extent to which the implementation of the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program, as set forth in the biennial finance plan updated to reflect the adopted biennial budget act, implements legislative intent on the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the +land recycling loan program. The building commission shall, no later than 60 days after the date of enactment of the biennial budget act, either approve or disapprove the biennial finance plan that is updated to reflect the adopted biennial budget act, except that the building commission may not disapprove those amounts that the legislature approves under s. 281.59 (3e) (a), (3m) (a) ~~and~~, (3s) (a) and (3v) (a). If the building commission disapproves the version of the biennial finance plan that is updated to reflect the adopted biennial budget act, it must notify the department of natural resources and the department of administration of its reasons for disapproving the plan, and those departments must revise that version of the biennial finance plan and submit the revision to the building commission.

**SECTION 3h.** 13.48 (27) of the statutes is amended to read:

13.48 **(27)** LEASE OF CORRECTIONAL FACILITIES. ~~The~~ Subject to the requirements of sub. (19) (b) and s. 20.924 (1) (i), (im) and (j), the building commission may lease any facility meeting the requirements of s. 301.19 (2) for use of the department of corrections as a part of the authorized state building program, with an option to purchase the facility by the state. Any lease shall provide for the facility to be constructed in accordance with requirements and specifications approved by the department of administration and shall permit inspection of the site and facility by agents of the department.

**SECTION 3hg.** 13.48 (30) of the statutes is created to read:

13.48 **(30)** AGENCY WORK PLANS FOR CAPITAL BUILDING MAINTENANCE. The building commission shall review work plans of agencies for expenditure of capital building maintenance moneys submitted under s. 16.857 (2) and may approve or disapprove any plan or approve a plan with modifications.

**SECTION 3hr.** 13.48 (31) of the statutes is created to read:

13.48 **(31)** DIGITAL TELEVISION CONVERSION. (a) In this subsection, "broadcasting corporation" has the meaning given in s. 39.81 (2).

(b) 1. Subject to par. (e), the building commission may authorize up to $9,713,700 in general fund supported borrowing to aid in the acquisition, construction, development, enlargement or improvement of facilities and equipment related to the conversion to digital television for the educational communications board or, if the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, for the broadcasting corporation. If the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, the

state funding commitment under this paragraph shall be in the form of a grant to the broadcasting corporation. Before approving any such state funding commitment, the building commission shall determine that the educational communications board or, if the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, the broadcasting corporation has secured additional funding at least equal to $1,106,400 from nonstate donations for the purpose of digital television conversion.

2. If the building commission authorizes a grant to the broadcasting corporation under subd. 1. and if, for any reason, the facility or equipment that is acquired, constructed, developed, enlarged or improved with funds from the grant is not used for the purpose of public broadcasting, the state shall retain an ownership interest in the facility or equipment equal to the amount of the state's grant.

(c) Subject to par. (e), the building commission may authorize up to $2,800,000 in general fund supported borrowing to aid in the acquisition, construction, development, enlargement or improvement of facilities and equipment related to the conversion to digital television for the University of Wisconsin System. Before approving any such state funding commitment, the building commission shall determine that the board of regents of the University of Wisconsin System has entered into an agreement under s. 36.25 (5) (c) 2. and that the board has secured additional funding at least equal to $280,000 from nonstate donations for the purpose of digital television conversion.

(d) 1. Subject to par. (e), the building commission may authorize up to $3,500,000 in general fund supported borrowing to aid in the acquisition, construction, development, enlargement or improvement of facilities and equipment

related to the conversion to digital television for the Milwaukee Area Technical College. The state funding commitment under this paragraph shall be in the form of a grant to the Milwaukee Area Technical College. Before approving any such state funding commitment, the building commission shall determine that the district board of the Milwaukee Area Technical College has entered into an agreement under s. 38.125 (2) (a) and that the board has secured additional funding at least equal to $350,000 from nonstate donations for the purpose of digital television conversion.

2. If the building commission authorizes a grant to the Milwaukee Area Technical College under subd. 1. and if, for any reason, the facility or equipment that is acquired, constructed, developed, enlarged or improved with funds from the grant is not used for the purpose of public broadcasting, the state shall retain an ownership interest in the facility or equipment equal to the amount of the state's grant.

(e) During the 1999–2001 fiscal biennium, the building commission may not authorize any general fund supported borrowing to aid in the acquisition, construction, development, enlargement or improvement of a broadcasting network facility or a production facility.

**SECTION 3i.** 13.48 (32) of the statutes is created to read:

13.48 **(32)** DEBT INCREASE FOR CONSTRUCTION OF A DENTAL CLINIC AND EDUCATION FACILITY AT MARQUETTE UNIVERSITY. (a) The legislature finds and determines that it is in the public interest to promote the health and well–being of residents of this state by ensuring the availability of a sufficient number of dentists to meet the needs of residents of this state; it is in the public interest, advantage and welfare to ensure the continued availability of dental education in this state; and Marquette University operates the only dental school in this state. It is, therefore, the public policy of this state to assist private institutions in this state, including Marquette

University, in the construction of facilities that will be used to provide dental education.

(b) The building commission may authorize up to $15,000,000 of general fund supported borrowing to aid in the construction of a dental clinic and education facility at Marquette University. The state funding commitment for the construction of the facility shall be in the form of a construction grant to Marquette University. Before approving any state funding commitment for such a facility and before awarding the construction grant to Marquette University, the building commission shall determine that all of the following conditions have been met:

1. Marquette University has secured additional funding commitments of at least $15,000,000 from nonstate revenue sources, the nonstate revenue sources are reasonable and available and the total funding commitments of the state and the nonstate sources will permit Marquette University to enter into contracts for the construction of the dental clinic and education facility.

2. The dental clinic and education facility will not be used for the purpose of devotional activities, religious worship or sectarian instruction.

3. No religious instruction shall be required as a condition for admission to, or graduation from, the Marquette University School of Dentistry.

(c) If the building commission authorizes a construction grant to Marquette University under par. (b), Marquette University shall provide the state with an option to purchase the dental clinic and education facility under the following conditions:

1. The option price shall be the appraised fair market value at the time that the option is exercised, less a credit recognizing the amount of the state's construction

grant. The option shall be subject to any mortgage or other security interest of any private lenders.

2. The option may be exercised only upon the occurrence of any of the following:

a. Suspension of operation of a program of dental education at Marquette University or any successor organization.

b. Foreclosure of the mortgage by a private lender.

(d) If the state does not exercise the option to purchase the dental clinic and education facility, and if the facility is sold to any 3rd party, any agreement to sell the facility shall provide that the state has the right to receive an amount equal to the construction grant under par. (b) from the net proceeds of any such sale after the mortgage has been satisfied and all other secured debts have been paid. This right shall be paramount to the right of Marquette University to the proceeds upon such sale.

**SECTION 3j.** 13.485 (2) of the statutes is amended to read:

13.485 **(2)** The building commission may, under ~~s. 18.56 (5) and (9) (j)~~ ss. 18.561 and 18.562, deposit in a separate and distinct fund, outside the state treasury, in an account maintained by a trustee, fees and charges derived from the facilities or from agreements entered into under sub. (4). The fees and charges deposited are the trustee's moneys in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the fees and charges to the repayment of revenue obligations issued under this section.

**SECTION 3jm.** 13.489 (1m) of the statutes is created to read:

13.489 **(1m)** APPROVAL OF COMMISSION REQUIRED FOR STUDY OF POTENTIAL MAJOR HIGHWAY PROJECTS. (a) In this subsection:

1. "Environmental assessment" means an analysis of a proposed action to determine whether the proposed action constitutes a major action significantly affecting the human environment under s. 1.11 (2) (c).

2. "Environmental impact statement" means a detailed statement required under s. 1.11 (2) (c).

3. "Major highway project" has the meaning given in s. 84.013 (1) (a).

(b) Not later than October 15 of each odd–numbered year, the department of transportation shall provide to the commission a list of potential major highway projects that the department has initially determined may be recommended under par. (c) for approval to prepare an environmental impact statement or an environmental assessment and a list of potential major highway projects that could be studied for possible recommendation under sub. (4). The commission may conduct public hearings on potential major highway projects identified by the department of transportation or by the commission.

(c) Not later than March 15 of each even–numbered year, the department of transportation shall report to the commission those potential major highway projects that the department recommends be approved by the commission for preparation of an environmental impact statement or an environmental assessment.

(d) Not later than April 15 of each even–numbered year, the commission shall notify the department of those potential major highway projects that the commission approves for preparation of an environmental impact statement or an environmental assessment or shall notify the department that it does not approve any potential major highway projects for preparation of an environmental impact statement or environmental assessment.

(e) The department of transportation may not prepare an environmental impact statement or an environmental assessment for a potential major highway project unless the commission notifies the department under par. (d) that the project is approved.

**SECTION 3k.** 13.62 (4m) of the statutes is created to read:

13.62 **(4m)** "Budget bill subject" means a subject specified by the board which is included in the executive budget bill or bills introduced under s. 16.47.

**SECTION 3m.** 13.62 (8) of the statutes is amended to read:

13.62 **(8)** "Legislative action" means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment or defeat of any bill, resolution, amendment, report, nomination, proposed administrative rule or other matter by the legislature or by either house or any committee, subcommittee, joint or select committee thereof, or by a legislator or employe of the legislature acting in an official capacity. "Legislative action" also means the action of the governor in approving or vetoing any bill or portion thereof, and the action of the governor or any agency in the development of a proposal for introduction in the legislature.

**SECTION 3mi.** 13.62 (8s) of the statutes is created to read:

13.62 **(8s)** "Legislative proposal" means a bill, resolution or joint resolution.

**SECTION 3n.** 13.67 of the statutes is amended to read:

**13.67 Identification of legislative and administrative proposals and topics. (1)** Except as authorized under s. 13.621, no person may engage in lobbying as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to engage in lobbying on its behalf unless the principal reports to the board, in such manner as the board may prescribe, each ~~bill or~~ legislative proposal, budget bill

subject and proposed administrative rule number in connection with which the principal has made or intends to make a lobbying communication or, if the lobbying does not relate to a legislative proposal or proposed administrative rule that has been numbered or a budget bill subject, each topic of a lobbying communication made or intended to be made by the principal. A principal shall describe any topic of a lobbying communication with reasonable specificity, sufficient to identify the subject matter of the lobbying communication and whether the communication is an attempt to influence legislative or administrative action, or both. The principal shall file the report no later than the end of the 15th day after the date on which the principal makes a lobbying communication with respect to a legislative proposal ~~or~~, proposed administrative rule, budget bill subject or other topic not previously reported by the principal under this section during the biennial period for which the principal is registered. ~~With respect to a lobbying communication relating to the executive budget bill or bills introduced under s. 16.47, the principal shall further identify from among topics provided by the board the topic or topics of its lobbying communications, if any.~~ The report shall be made by a person who is identified by the principal under s. 13.64 (1) (e).

**(2)** Any person who is not a principal may, upon payment of the fee prescribed under s. 13.75 (5), register with the board an interest in any ~~bill or~~ legislative proposal, proposed administrative rule, budget bill subject or other topic.

**SECTION 3o.** 13.68 (1) (bn) of the statutes is amended to read:

13.68 **(1)** (bn) For each ~~bill or~~ legislative proposal, proposed administrative rule, budget bill subject or other topic that accounts for 10% or more of the principal's time spent in lobbying during the reporting period, the principal's reasonable estimate of the proportion of its time spent in lobbying associated with that ~~bill or~~

legislative proposal, proposed administrative rule~~. With respect to the executive budget bill or bills introduced under s. 16.47, the principal shall further identify from topics provided by the board each topic that accounts for 10% or more of the principal's time spent in lobbying during the reporting period and the principal's reasonable estimate of the proportion of its time spent in lobbying associated with that topic~~, budget bill subject or other topic.

**SECTION 3p.** 13.685 (4) of the statutes is created to read:

13.685 **(4)** The board shall, by rule, define what constitutes a "topic" for purposes of ss. 13.67 and 13.68 (1) (bn).

**SECTION 3q.** 13.75 (5) of the statutes is amended to read:

13.75 **(5)** Registering an interest in a ~~bill or~~ legislative proposal, proposed administrative rule, budget bill subject or other topic under 13.67 (2), $10.

**SECTION 5.** 13.94 (4) (a) 1. of the statutes is amended to read:

13.94 **(4)** (a) 1. Every state department, board, examining board, affiliated credentialing board, commission, independent agency, council or office in the executive branch of state government; all bodies created by the legislature in the legislative or judicial branch of state government; any public body corporate and politic created by the legislature including specifically a professional baseball park district and a family care district under s. 46.2895; every Wisconsin works agency under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical college district boards; development zones designated under s. 560.71; every county department under s. 51.42 or 51.437; every nonprofit corporation or cooperative to which moneys are specifically appropriated by state law; and every corporation, institution, association or other organization which receives more than

50% of its annual budget from appropriations made by state law, including subgrantee or subcontractor recipients of such funds.

**SECTION 6.** 13.94 (4) (b) of the statutes is amended to read:

13.94 **(4)** (b) In performing audits of family care districts under s. 46.2895, Wisconsin works agencies under subch. III of ch. 49, providers of medical assistance under subch. IV of ch. 49, corporations, institutions, associations, or other organizations, and their subgrantees or subcontractors, the legislative audit bureau shall audit only the records and operations of such providers and organizations which pertain to the receipt, disbursement or other handling of appropriations made by state law.

**SECTION 8.** 14.06 of the statutes is created to read:

**14.06 Gifts, grants and bequests.** The governor may accept gifts, grants and bequests, and may expend the proceeds to carry out the purposes for which received.

**SECTION 11.** 14.18 of the statutes is created to read:

**14.18 Assistance from executive branch agencies. (1)** In this section "executive branch agency" has the meaning given under s. 16.70 (4).

**(2)** The governor may enter into a cooperative arrangement with any executive branch agency under which the agency provides assistance to the governor in carrying out his or her responsibilities.

**SECTION 11ac.** 14.18 of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 11d.** 14.20 (title) of the statutes is amended to read:

**14.20** (title) **Literacy improvement aids.**

**SECTION 11g.** 14.20 (2) of the statutes is amended to read:

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

**SECTION 11n.** 14.20 (3) and (4) of the statutes are repealed.

**SECTION 12e.** 14.82 (1) (c) of the statutes is repealed.

**SECTION 12g.** 14.82 (1) (d) of the statutes is created to read:

14.82 **(1)** (d) Beginning on July 1, 1999, the total amount that may be expended in a fiscal year from the appropriation account under s. 20.315 (1) (q) for the joint Minnesota–Wisconsin boundary area commission may not exceed the total amount expended by the state of Minnesota in the same fiscal year for the joint Minnesota–Wisconsin boundary area commission.

**SECTION 12m.** 15.01 (4) of the statutes is amended to read:

15.01 **(4)** "Council" means a part–time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except the Wisconsin land council has the powers specified in s. 16.965 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river revitalization council has the powers and duties specified in s. 23.18, the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug abuse has the powers and duties specified in s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has the powers and duties specified in s. 146.36.

**SECTION 12n.** 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

15.01 **(4)** "Council" means a part–time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except the ~~Wisconsin land council has the powers specified in s. 16.965 (3) and (5) and the powers granted to agencies under ch. 227, the~~ Milwaukee river revitalization council has the powers and duties specified in s. 23.18, the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug abuse has the powers and duties specified in s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has the powers and duties specified in s. 146.36.

**SECTION 14.** 15.07 (1) (a) 5. of the statutes is amended to read:

15.07 **(1)** (a) 5. The members of the educational communications board appointed under s. 15.57 ~~(5) and (7)~~ (1) (e) and (h) shall be appointed as provided in that section.

**SECTION 14m.** 15.07 (1) (b) 21. of the statutes is created to read:

15.07 **(1)** (b) 21. The public broadcasting transitional board. This subdivision does not apply after the first day of the 36th month beginning after the effective date of this subdivision .... [revisor inserts date].

**SECTION 15.** 15.07 (2) (k) of the statutes is created to read:

15.07 **(2)** (k) The governor shall serve as chairperson of the governor's work–based learning board.

**SECTION 20.** 15.105 (24) (title) of the statutes is renumbered 15.195 (3) (title).

**SECTION 21.** 15.105 (24) (a) of the statutes is renumbered 15.195 (3) (a) and amended to read:

15.195 **(3)** (a) *Creation.* There is created a national and community service board which is attached to the department of ~~administration~~ health and family services under s. 15.03.

**SECTION 22.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the statutes are renumbered 15.195 (3) (b) and (c) (intro.) and 1. to 4.

**SECTION 23.** 15.105 (24) (c) 4m. of the statutes is renumbered 15.195 (3) (c) 4m. and amended to read:

15.195 **(3)** (c) 4m. The secretary of ~~administration~~ health and family services or his or her designee.

**SECTION 24.** 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are renumbered 15.195 (3) (c) 5. to 10., (d) and (e).

**SECTION 25.** 15.105 (25) (intro.) of the statutes is amended to read:

15.105 **(25)** TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD. (intro.) There is created a technology for educational achievement in Wisconsin board which is attached to the department of administration under s. 15.03. The board shall consist of the state superintendent of public instruction or his or her designee, the secretary of administration or his or her designee and the following members appointed for 4–year terms:

**SECTION 26m.** 15.105 (25) (bm) of the statutes is amended to read:

15.105 **(25)** (bm) A member of the educational communications board. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on and after the effective date of the last

license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 27m.** 15.105 (25) (c) of the statutes is amended to read:

15.105 **(25)** (c) Four or, if the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), 5 other members.

**SECTION 31.** 15.197 (5) of the statutes is created to read:

15.197 **(5)** COUNCIL ON LONG–TERM CARE. There is created in the department of health and family services a council on long–term care, which shall consist of 15 members. The governor shall designate the chairperson of the council on long–term care.

**SECTION 32.** 15.197 (5) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 34.** 15.197 (25) (c) of the statutes is amended to read:

15.197 **(25)** (c) This subsection does not apply beginning on July 1, ~~2001~~ 2002.

**SECTION 34b.** 15.197 (26) of the statutes is created to read:

15.197 **(26)** SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN COUNCIL. (a) There is created in the department of health and family services a supplemental food program for women, infants and children council. The council shall consist of the following members:

1. One representative of independent retail grocery stores.

2. One representative of the food industry warehouse distribution system.

3. One representative of convenience stores.

4. One representative of pharmacies.

5. One representative of financial institutions.

6. Two participants in the supplemental food program for women, infants and children.

7. The secretary of health and family services or his or her designee.

8. One representative of a community–based hunger prevention program in the city of Milwaukee.

(b) The member under par. (a) 7. may not serve as the chairperson of the council.

(c) The council shall meet at least 4 times per year.

(d) This subsection does not apply beginning on January 1, 2001.

**SECTION 34d.** 15.197 (28) of the statutes is created to read:

15.197 **(28)** TOBACCO CONTROL COUNCIL. (a) There is created a tobacco control council. The council shall consist of the following members:

1. The attorney general or his or her designee.

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

3. The secretary of health and family services or his or her designee.

4. The superintendent of public instruction or his or her designee.

5. One physician with expertise in oncology, smoking cessation or public health.

6. One student who is enrolled in an institution within the University of Wisconsin System.

7. Two high school students, including at least one minority student, as defined in s. 39.40 (1).

8. Five representatives of organizations that have as their primary organizational mission reducing the health or economic consequences of tobacco use or ameliorating the effects of tobacco use and reducing the incidence of particular diseases or health conditions associated with tobacco use.

9. One local health officer.

10. One person who is a minority group member, as defined in s. 560.036 (1) (f).

11. One member of the Wisconsin Grocers Association.

12. One member of the Wisconsin Health and Hospital Association.

(b) The members specified in par. (a) 5. to 12. shall be appointed for 3–year terms, except that if a student member appointed under par. (a) 6. or 7. loses the status upon which the appointment was based, he or she shall cease to be a member of the tobacco control council. The Governor shall designate one of the members appointed under par. (a) 5. to 12. as chairperson of the council.

(c) The council shall meet at least 4 times per year. Eleven members constitute a quorum. For the purpose of conducting business and making final recommendations under s. 255.15 (2), a majority vote of the entire council is required.

(d) If the council creates subcommittees, one subcommittee shall study the issue of those populations most adversely affected by tobacco.

**SECTION 35.** 15.223 (2) of the statutes is repealed.

**SECTION 36.** 15.223 (3) of the statutes is created to read:

15.223 **(3)** DIVISION OF WORKFORCE EXCELLENCE. There is created in the department of workforce development a division of workforce excellence.

**SECTION 36r.** 15.225 (2) (b) of the statutes is amended to read:

15.225 **(2)** (b) *Membership.* The Wisconsin conservation corps board consists of 7 members appointed by the governor from various areas of the state in a manner designed to provide regional, environmental and agricultural representation. One member of the board shall be a member of ~~an area private industry council~~ a local workforce development board established under ~~the job training partnership act, 29 USC 1501 to 1781~~ 29 USC 2832.

**SECTION 37.** 15.225 (3) of the statutes is created to read:

15.225 **(3)** GOVERNOR'S WORK–BASED LEARNING BOARD. (a) There is created a governor's work–based learning board which is attached to the department of workforce development under s. 15.03.

(b) The governor's work–based learning board shall consist of the following members:

1. The governor.

2. The state superintendent of public instruction.

3. The president of the technical college system board.

4. The director of the technical college system board.

5. The secretary of workforce development.

6. The administrator of the division of workforce excellence in the department of workforce development.

7. One member who is a representative of organized labor.

8. One member who is a representative business and industry.

8m. Two members having experience in secondary vocational education and work–based learning who are not public officers and who do not possess the qualifications of the members under subds. 7. and 8.

9. One member, who is not a public officer and who does not possess the qualifications of the members under subds. 7. and 8., to represent the interests of the public.

(c) The members of the board appointed under par. (b) 7., 8., 8m. and 9. shall be appointed by the governor to serve at the pleasure of the governor.

**SECTION 37g.** 15.227 (24) of the statutes is repealed.

**SECTION 38.** 15.57 of the statutes is renumbered 15.57 (1).

**SECTION 39.** 15.57 (2) of the statutes is created to read:

15.57 **(2)** If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), this section does not apply on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 40g.** 15.675 of the statutes is renumbered 15.495 and amended to read:

**15.495 Same; attached board. (1)** EDUCATIONAL APPROVAL BOARD. There is created an educational approval board which is attached to the ~~higher educational aids board~~ department of veterans affairs under s. 15.03. The board shall consist of not more than 7 members, who shall be representatives of state agencies and other persons with a demonstrated interest in educational programs, appointed to serve at the pleasure of the governor.

**SECTION 40m.** 15.98 of the statutes is created to read:

**15.98 Public broadcasting transitional board; creation. (1)** In this section:

(a) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

(b) "Friends group" has the meaning given in s. 39.81 (5).

**(2)** There is created a public broadcasting transitional board consisting of the following members:

(a) The secretary of administration or his or her designee.

(b) The state superintendent of public instruction or his or her designee.

(c) The president of the University of Wisconsin System or his or her designee.

(d) The director of the technical college system or his or her designee.

(e) The president of the Wisconsin Association of Independent Colleges and Universities or his or her designee.

(f) Except as provided in sub. (4), the district director specified in s. 38.12 (3) (a) 1. of the Milwaukee Area Technical College district or his or her designee.

(g) One member of each house of the legislature from the political party with the most members in that house, appointed as are members of standing committees.

(h) One member of each house of the legislature from the political party with the 2nd most members in that house, appointed as are members of standing committees.

(i) Two members appointed by the governor from a list of nominees submitted by the Wisconsin Public Radio Association, for 3–year terms.

(j) One member appointed by the governor from a list of nominees submitted by a friends group organized to raise funds for television station WHA, for a 3–year term.

(k) One member appointed by the governor from a list of nominees submitted by a friends group organized to raise funds for television stations WMVS and WMVT, for a 3–year term.

(L) One member appointed by the governor who is a representative of public elementary and secondary schools, for a 3–year term.

**(3)** The appointment of the members specified in sub. (2) is subject to senate confirmation, except for the appointment of a member who holds an office specified in sub. (2) that is subject to senate confirmation and except for the members specified in sub. (2) (b), (g) and (h).

**(4)** If the district board governing the Milwaukee Area Technical College does not enter into an agreement with the broadcasting corporation under s. 38.125 (2) (a) by the date specified in s. 38.125 (2) (a) (intro.), the member specified under sub. (2) (f) shall vacate his or her membership and the governor shall appoint, subject to senate confirmation, an individual to serve as a member for a 3–year term.

**(5)** This section does not apply beginning on the first day of the 36th month commencing after the effective date of this subsection .... [revisor inserts date].

**SECTION 40r.** 16.004 (13) of the statutes is created to read:

16.004 **(13)** UNFUNDED PRIOR SERVICE FOR ASSISTANT DISTRICT ATTORNEYS. Beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, the department shall pay $80,000 in each fiscal year from the appropriation account under s. 20.475 (1) (d) toward the department's unfunded prior service liability under the Wisconsin retirement system that results from granting the creditable service under s. 40.02 (17) (gm).

**SECTION 41.** 16.009 (2) (p) of the statutes is created to read:

16.009 **(2)** (p) Contract with one or more organizations to provide advocacy services to potential or actual recipients of the family care benefit, as defined in s. 46.2805 (4), or their families or guardians. The board and contract organizations under this paragraph shall assist these persons in protecting their rights under all

applicable federal statutes and regulations and state statutes and rules. An organization with which the board contracts for these services may not be a provider, nor an affiliate of a provider, of long–term care services, a resource center under s. 46.283 or a care management organization under s. 46.284. For potential or actual recipients of the family care benefit, advocacy services required under this paragraph shall include all of the following:

1. Providing information, technical assistance and training about how to obtain needed services or support items.

2. Providing advice and assistance in preparing and filing complaints, grievances and appeals of complaints or grievances.

3. Providing negotiation and mediation.

4. Providing individual case advocacy assistance regarding the appropriate interpretation of statutes, rules or regulations.

5. Providing individual case advocacy services in administrative hearings and legal representation for judicial proceedings regarding family care services or benefits.

**SECTION 42.** 16.0095 of the statutes is repealed.

**SECTION 43h.** 16.023 (1m) of the statutes is created to read:

16.023 **(1m)** (a) In this subsection:

1. "Land rights" means a holder's nonpossessory interest in land that imposes a limitation or affirmative obligation the purpose of which is to retain or protect natural, scenic or open space values of land, assuring the availability of land for agricultural, forest, wildlife habitat or open space use, protecting natural resources or maintaining or enhancing air or water quality.

2. "Political subdivision" means a city, village, town or county.

3. "Public funds" means funds of the United States, this state or of a political subdivision, or an instrumentality, agency or subunit of any of the foregoing.

4. "Transaction" means a conveyance of land rights that uses public funds to accomplish the conveyance.

(b) Not later than January 1, 2000, the council shall develop and distribute a form, that is in triplicate, to each register of deeds, the department of natural resources and the department of revenue that contains space for the following information:

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

2. The date of the transaction.

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

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

5. The classification of the parcel under s. 70.32 (2) (a) to which the land rights relate.

6. The amount paid by the purchaser for the land rights.

7. The source of the public funds that were used in the conveyance of the land rights.

(c) For a transaction that is completed after June 30, 2000, a person who is a party to a transaction, as a purchaser or purchaser's agent or as a seller or seller's agent, shall prepare and sign the form described in par. (b). The person who prepares and signs the form shall send one copy of the form to the council and record one copy with the register of deeds of the county in which the transaction is recorded.

(d) A register of deeds, the department of natural resources and the department of revenue shall make the form available to any person who requests one.

(e) The council shall post the form on the Internet when a site for a statewide computerized land information system is created and makes such a posting possible.

**SECTION 43j.** 16.023 (3) of the statutes is amended to read:

16.023 **(3)** Subsections (1) ~~and~~ to (2) do not apply after August 31, 2003.

**SECTION 44.** 16.15 (4) of the statutes is repealed.

**SECTION 45m.** 16.18 of the statutes is created to read:

**16.18 Management assistance grants to certain counties. (1)** In this section, "eligible county" means a county that has a geographic area of less than 400 square miles and that contains no incorporated municipal territory.

**(2)** An eligible county may apply to the department for a management assistance grant annually in each state fiscal year for the purpose of assisting the county in funding one or more of the following functions:

(a) Public security.

(b) Public health.

(c) Public infrastructure.

(d) Public employe training.

(e) Economic development.

**(3)** No eligible county may receive a grant under this section unless the county maintains its financial records in accordance with accounting procedures established by the department of revenue, and unless the county submits to the department a detailed expenditure plan that identifies how the grant proceeds are proposed to be expended and how the proposed expenditures will enable the county to meet its goals for execution of the functions specified in sub. (2) for which the grant is requested.

**(4)** The department shall make grants to eligible counties from the appropriation under s. 20.505 (1) (ku).

**(5)** No county may receive a grant under this section in an amount exceeding $500,000 in any state fiscal year.

**SECTION 46.** 16.22 of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 47.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are renumbered 46.78 (title), (1) and (2) (intro.) and (a) to (g).

**SECTION 48.** 16.22 (2) (h) of the statutes is renumbered 46.78 (2) (h) and amended to read:

46.78 **(2)** (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.435 (3) (gb) and (p), award grants to persons providing national service programs, giving priority to the greatest extent practicable to persons providing youth corps programs.

**SECTION 49.** 16.22 (2) (i) to (k) of the statutes are renumbered 46.78 (2) (i) to (k).

**SECTION 50.** 16.22 (2) (kL) of the statutes, as created by 1997 Wisconsin Act 237, section 4w, is renumbered 16.22 and amended to read:

**16.22 Wisconsin promise challenge grants.** From the appropriation under s. 20.505 ~~(4)~~ (1) (fm), the department shall award Wisconsin promise challenge grants and provide training and technical assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

**SECTION 51.** 16.22 (2) (L) and (3) of the statutes are renumbered 46.78 (2) (L) and (3).

**SECTION 51m.** 16.23 of the statutes is repealed.

**SECTION 52.** 16.24 (title) and (1) of the statutes are renumbered 14.63 (title) and (1), and 14.63 (1) (b), as renumbered, is amended to read:

14.63 **(1)** (b) "Institution of higher education" means a public or private institution of higher education that is accredited by an accrediting association recognized by the ~~department~~ state treasurer, and a proprietary school approved by the educational approval board under s. ~~39.51~~ 45.54.

**SECTION 53.** 16.24 (2) of the statutes is renumbered 14.63 (2), and 14.63 (2) (intro.) and (b), as renumbered, are amended to read:

14.63 **(2)** WEIGHTED AVERAGE TUITION; TUITION UNIT COST. (intro.) Annually, the ~~department~~ state treasurer and the board jointly shall determine all of the following:

(b) The price of a tuition unit, which shall be valid for a period determined jointly by the ~~department~~ state treasurer and the board. The price shall be sufficient to ensure the ability of the ~~department~~ state treasurer to meet ~~its~~ his or her obligations under this section. To the extent possible, the price shall be set so that the value of the tuition unit in the anticipated academic year of its use will be equal to 1% of the weighted average tuition for that academic year plus the costs of administering the program under this section attributable to the unit.

**SECTION 54.** 16.24 (3) of the statutes is renumbered 14.63 (3), and 14.63 (3) (a) (intro.) and (d), as renumbered, are amended to read:

14.63 **(3)** (a) (intro.) The ~~department~~ state treasurer shall contract with an individual, a trust or a legal guardian for the sale of tuition units to that individual, trust or legal guardian if all of the following apply:

(d) The ~~department~~ state treasurer shall promulgate rules authorizing a person who has entered into a contract under this subsection to change the beneficiary named in the contract.

**SECTION 55.** 16.24 (4) of the statutes is renumbered 14.63 (4) and amended to read:

14.63 **(4)** NUMBER OF TUITION UNITS PURCHASED. A person who enters into a contract under sub. (3) may purchase tuition units at any time and in any number, except that the total number of tuition units purchased on behalf of a single beneficiary may not exceed the number necessary to pay for 4 years of full–time attendance, including mandatory student fees, as a resident undergraduate at the institution within the University of Wisconsin System that has the highest resident undergraduate tuition, as determined by the ~~department~~ state treasurer, in the anticipated academic years of their use.

**SECTION 56.** 16.24 (5) of the statutes is renumbered 14.63 (5), and 14.63 (5) (a) and (b) (intro.) and 2., as renumbered, are amended to read:

14.63 **(5)** (a) Except as provided in sub. (7m), if an individual named as beneficiary in a contract under sub. (3) attends an institution of higher education in the United States, each tuition unit purchased on his or her behalf entitles that beneficiary to apply toward the payment of tuition and mandatory student fees at the institution an amount equal to 1% of the anticipated weighted average tuition of bachelor's degree–granting institutions within the University of Wisconsin System for the year of attendance, as estimated under sub. (2) in the year in which the tuition unit was purchased.

(b) (intro.) Upon request by the beneficiary, the ~~department~~ state treasurer shall pay to the institution in each semester of attendance the lesser of the following:

2. An amount equal to the sum of the institution's tuition and mandatory student fees for that semester.

**SECTION 57.** 16.24 (6) of the statutes is renumbered 14.63 (6), and 14.63 (6) (a) 5. and (b), as renumbered, are amended to read:

14.63 **(6)** (a) 5. Other circumstances determined by the ~~department~~ state treasurer to be grounds for termination.

(b) The ~~department~~ state treasurer shall terminate a contract under sub. (3) if any of the tuition units purchased under the contract remain unused 10 years after the anticipated academic year of the beneficiary's initial enrollment in an institution of higher education, as specified in the contract.

**SECTION 58.** 16.24 (7) of the statutes is renumbered 14.63 (7), and 14.63 (7) (a) (intro.), 3., 4. and 5. and (b), as renumbered, are amended to read:

14.63 **(7)** (a) (intro.) Except as provided in sub. (7m), the ~~department~~ state treasurer shall do all of the following:

3. If a contract is terminated under sub. (6) (a) 4. or (b), refund to the person who entered into the contract an amount equal to 99% of the amount determined under subd. 2. ~~If a contract is terminated under sub. (6) (a) 4., the department may not issue a refund for one year following receipt of the notice of termination and may not issue a refund of more than 100 tuition units in any year.~~

4. If a contract is terminated under sub. (6) (a) 5., refund to the person who entered into the contract the amount under subd. 2. or under subd. 3., as determined by the ~~department~~ state treasurer.

5. If the beneficiary is awarded a scholarship, tuition waiver or similar subsidy that cannot be converted into cash by the beneficiary, refund to the person who entered into the contract, upon the person's request, an amount equal to the value of the tuition units that are not needed because of the scholarship, waiver or similar

subsidy and that would otherwise have been paid by the ~~department~~ state treasurer on behalf of the beneficiary during the semester in which the beneficiary is enrolled.

(b) ~~Except as provided under par. (a) 3., the department~~ The state treasurer shall determine the method and schedule for the payment of refunds under this subsection.

**SECTION 59.** 16.24 (7m) of the statutes is renumbered 14.63 (7m), and 14.63 (7m) (a) (intro.), (b) and (c), as renumbered, are amended to read:

14.63 **(7m)** (a) (intro.) The ~~department~~ state treasurer may adjust the value of a tuition unit based on the actual earnings attributable to the tuition unit less the costs of administering the program under this section that are attributable to the tuition unit if any of the following applies:

(b) The ~~department~~ state treasurer may not increase the value of a tuition unit under par. (a) to an amount that exceeds the value of a tuition unit that was purchased at a similar time, held for a similar period and used or refunded in the anticipated academic year of the beneficiary's attendance, as specified in the contract.

(c) The ~~department~~ state treasurer may promulgate rules imposing or increasing penalties for refunds under sub. (7) (a) if the ~~department~~ state treasurer determines that such rules are necessary to maintain the status of the program under this section as a qualified state tuition program under section 529 of the Internal Revenue Code, as defined in s. 71.01 (6).

**SECTION 60.** 16.24 (8) of the statutes is renumbered 14.63 (8) and amended to read:

14.63 **(8)** EXEMPTION FROM GARNISHMENT, ATTACHMENT AND EXECUTION. Moneys deposited in the tuition trust fund and a beneficiary's right to the payment of tuition

and mandatory student fees under this section are not subject to garnishment, attachment, execution or any other process of law.

**SECTION 61.** 16.24 (9) to (11) of the statutes are renumbered 14.63 (9) to (11), and 14.63 (9), (10), (10m) and (11) (b), as renumbered, are amended to read:

14.63 **(9)** CONTRACT WITH ACTUARY. The ~~department~~ state treasurer shall contract with an actuary or actuarial firm to evaluate annually whether the assets in the tuition trust fund are sufficient to meet the obligations of the ~~department~~ state treasurer under this section and to advise the ~~department~~ state treasurer on setting the price of a tuition unit under sub. (2) (b).

**(10)** REPORTS. (a) Annually, the ~~department~~ state treasurer shall submit a report to the governor, and to the appropriate standing committees of the legislature under s. 13.172 (3), on the program under this section. The report shall include any recommendations for changes to the program that the ~~department~~ state treasurer determines are necessary to ensure the sufficiency of the tuition trust fund to meet the ~~department's~~ state treasurer's obligations under this section.

(b) The ~~department~~ state treasurer shall submit a quarterly report to the state investment board projecting the future cash flow needs of the tuition trust fund. The state investment board shall invest moneys held in the tuition trust fund in investments with maturities and liquidity that are appropriate for the needs of the fund as reported by the ~~department~~ state treasurer in ~~its~~ his or her quarterly reports. All income derived from such investments shall be credited to the fund.

**(10m)** REPAYMENT TO GENERAL FUND. The secretary of administration shall transfer from the tuition trust fund to the general fund an amount equal to the amount encumbered from the ~~appropriation~~ appropriations under s. 20.505 (9) (a), 1995 stats., and s. 20.585 (2) (a) when the secretary of administration determines

that funds in the tuition trust fund are sufficient to make the transfer. The secretary of administration may make the transfer in instalments.

**(11)** (b) The requirements to pay tuition and mandatory student fees under sub. (5) and to make refunds under sub. (7) are subject to the availability of sufficient assets in the tuition trust fund.

**SECTION 62.** 16.24 (12) and (13) of the statutes are renumbered 14.63 (12) and (13), and 14.63 (12) (title), (a) (intro.) and (b) (intro.) and (13), as renumbered, are amended to read:

14.63 **(12)** (title) ADDITIONAL ~~DEPARTMENT~~ DUTIES AND POWERS OF THE STATE TREASURER.

(a) (intro.) The ~~department~~ state treasurer shall do all of the following:

(b) (intro.) The ~~department~~ state treasurer may do any of the following:

**(13)** PROGRAM TERMINATION. If the ~~department~~ state treasurer determines that the program under this section is financially infeasible, the ~~department~~ state treasurer shall discontinue entering into tuition prepayment contracts under sub. (3) and discontinue selling tuition units under sub. (4).

**SECTION 63.** 16.25 of the statutes is created to read:

**16.25 Emergency weather warning system. (1)** In this section, "broadcasting corporation" has the meaning given in s. 39.81 (2).

**(2)** If the secretary determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, on and after the effective date of the last license transferred, as determined by the secretary under s. 39.88 (2), the department shall contract with the broadcasting corporation for the operation of an emergency weather warning system.

**SECTION 63g.** 16.255 of the statutes is created to read:

**16.255 Contributions to Boys and Girls Clubs of Wisconsin.** The secretary of administration shall make payments from the appropriation under s. 20.505 (3) (j) to the Boys and Girls Clubs of Wisconsin.

**SECTION 63m.** 16.26 of the statutes is created to read:

**16.26 Public broadcasting assets. (1)** In this section:

(a) "Broadcasting corporation" has the meaning given under s. 39.81 (2).

(b) "Shared asset" means an asset of the state that, as determined by the secretary, is used by the educational communications board for the purpose of providing public broadcasting, including a tower, transmitter, transmission facility or other related structure, equipment or property, and that is also used by another agency, as defined in s. 16.70 (1).

**(2)** If the secretary determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, the secretary shall negotiate and enter into an agreement to lease each shared asset to the broadcasting corporation. An agreement under this subsection may include an option for the broadcasting corporation to purchase any shared asset.

**SECTION 64.** 16.339 (2) (a) of the statutes is amended to read:

16.339 **(2)** (a) From the appropriation under s. 20.505 (7) (dm), the department may award a grant ~~that does not exceed $50,000~~ to an eligible applicant for the purpose of providing transitional housing and associated supportive services to homeless individuals and families if the conditions under par. (b) are satisfied. <u>The department shall ensure that the funds for the grants are reasonably balanced</u>

among geographic areas of the state, consistent with the quality of applications submitted.

**SECTION 64g.** 16.366 (title), (1) and (2) of the statutes are renumbered 101.935 (title), (1) and (2), and 101.935 (2) (d) and (e), as renumbered, are amended to read:

101.935 **(2)** (d) A permit may not be issued under this subsection until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the permit applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees ~~from~~ to the department, late fees and processing charges that are specified by rules promulgated by the department. If the permit applicant fails to pay all applicable fees, late fees and the processing charges within 15 days after the applicant receives notice of the insufficiency, the permit is void. In an appeal concerning voiding of a permit under this paragraph, the burden is on the permit applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning a payment dispute, operation of the mobile home park in question is considered to be operation without a permit.

(e) Section 254.69 (2), as it applies to an agent for the department of health and family services in the administration of s. 254.47, applies to an agent for the department of ~~administration~~ commerce in the administration of this section.

**SECTION 64m.** 16.366 (2m) of the statutes is renumbered 101.935 (2m), and 101.935 (2m) (a) 1., as renumbered, is amended to read:

101.935 **(2m)** (a) 1. Upon completion of the construction of a ~~new~~ mobile home park.

**SECTION 64r.** 16.366 (3) of the statutes is renumbered 101.935 (3) and amended to read:

101.935 **(3)** The department may promulgate rules and issue orders to administer and enforce this section. ~~A person who violates this section or a regulation or order under this section may be required to forfeit not less than $10 nor more than $250 for each offense. Each day of continued violation constitutes a separate offense.~~

**SECTION 65m.** 16.40 (20) of the statutes is created to read:

16.40 **(20)** PUBLIC DEBT SERVICE COSTS PROJECTION. Prepare in each odd–numbered year for inclusion in the report submitted by the building commission under s. 13.48 (7) a projection of the long–term trends in principal and interest costs on public debt contracted under subchs. I and IV of ch. 18 as a proportion of all tax revenues that are deposited or are expected to be deposited in the general fund. The projection shall take account of the recommendations adopted by the building commission for the long–range building program under s. 13.48 (7) for the succeeding fiscal biennium and all proposed general obligation bonding contained in the executive budget bill or bills, including bonding for the authorized state building program as well as for other borrowing purposes.

**SECTION 65r.** 16.40 (21) of the statutes is created to read:

16.40 **(21)** ADMINISTRATIVE SERVICES PROVIDED TO THE BOARD OF COMMISSIONERS OF PUBLIC LANDS. Render an accounting to the board of commissioners of public lands for the costs of all administrative services provided by the department and other state agencies, as defined in s. 20.001 (1), to the board. All moneys received from the board under s. 24.64 for the costs of administrative services provided by the department and other state agencies shall be deposited in the general fund.

**SECTION 68b.** 16.42 (1) (intro.) of the statutes is amended to read:

16.42 **(1)** (intro.) ~~All~~ Except as provided in sub. (3), all agencies, other than the legislature and the courts, no later than September 15 of each even–numbered year, in the form and content prescribed by the department, shall prepare and forward to the department and to the legislative fiscal bureau the following program and financial information:

**SECTION 68m.** 16.42 (3) of the statutes is created to read:

16.42 **(3)** (a) In this subsection, "zero–based budgeting" means compilation of a budget in which each component is justified on the basis of cost, need and relation to statutory responsibilities.

(b) Beginning with the 2001–03 fiscal biennium, the educational communications board shall submit budget requests, except requests regarding the appropriation under s. 20.225 (1) (c), that are prepared using the principles of zero–based budgeting for each of its activities, units and programs.

(c) If the secretary determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), this subsection does not apply on and after the effective date of the last license transferred as determined by the secretary under s. 39.88 (2).

**SECTION 78.** 16.54 (2) (a) 2. of the statutes is amended to read:

16.54 **(2)** (a) 2. Whenever a block grant is made to this state under any federal law enacted after August 31, 1995, which authorizes the distribution of block grants for the purposes for which the grant is made, the governor shall not administer and no board, commission or department may encumber or expend moneys received as a part of the grant unless the governor first notifies the cochairpersons of the joint

committee on finance, in writing, that the grant has been made. The notice shall contain a description of the purposes proposed by the governor for expenditure of the moneys received as a part of the grant. If the cochairpersons of the committee do not notify the governor that the committee has scheduled a meeting for the purpose of reviewing the proposed expenditure of grant moneys within 14 working days after the date of the governor's notification, the moneys may be expended as proposed by the governor. If, within 14 working days after the date of the governor's notification, the cochairpersons of the committee notify the governor that the committee has scheduled a meeting for the purpose of reviewing the proposed expenditure of grant moneys, no moneys received as a part of the grant may be expended without the approval of the committee. This subdivision does not apply to the expenditure of block grant funds that are allocated under s. 49.175.

**SECTION 78q.** 16.54 (11) of the statutes is renumbered 16.54 (11) (a) and amended to read:

16.54 **(11)** (a) ~~The~~ Except as provided in par. (b), the state board, commission or department designated by the governor under sub. (2) to administer federal payments in lieu of taxes on national forest lands shall distribute those payments to towns, cities and villages, but not to counties, that provide general governmental services and contain national forest lands. That distribution shall reflect the level of services provided by, and the number of acres of national forest land within, the town, city or village in accordance with 31 USC 6907.

**SECTION 78r.** 16.54 (11) (b) of the statutes is created to read:

16.54 **(11)** (b) If permitted under federal law, all moneys accepted by the governor under sub. (1) that are designated as federal payments in lieu of taxes on national forest lands shall be distributed to school districts that contain national

forest lands within their boundaries. The distribution shall reflect the number of acres of national forest land that are located within the school district.

**SECTION 79.** 16.54 (12) of the statutes is created to read:

16.54 **(12)** (a) The department of health and family services may not expend or encumber any moneys received under s. 20.435 (8) (mm) unless the department of health and family services submits a plan for the expenditure of the moneys to the department of administration and the department of administration approves the plan.

(b) The department of workforce development may not expend or encumber any moneys received under s. 20.445 (3) (mm) unless the department of workforce development submits a plan for the expenditure of the moneys to the department of administration and the department of administration approves the plan.

(c) The department of administration may approve any plan submitted under par. (a) or (b) in whole or in part. If the department approves any such plan in whole or part, the department shall notify the cochairpersons of the joint committee on finance, in writing, of the department's action under this paragraph.

(d) At the end of each fiscal year, the department of administration shall determine the amount of moneys that remain in the appropriation accounts under ss. 20.435 (8) (mm) and 20.445 (3) (mm) that have not been approved for encumbrance or expenditure by the department pursuant to a plan submitted under par. (a) or (b) and shall require that such moneys be lapsed to the general fund. The department shall notify the cochairpersons of the joint committee on finance, in writing, of the department's action under this paragraph.

**SECTION 79e.** 16.54 (13) of the statutes is created to read:

16.54 **(13)** (a) If the state receives any interest payments from the federal government relating to the timing of expenditures by the state pursuant to a federal government grant program or federal government contract, the payments shall be credited to the general fund as general purpose revenue –– earned.

(b) If the state is required to pay any interest payments to the federal government relating to the timing of expenditures by the state pursuant to a federal government grant program or federal government contract, the secretary shall notify the cochairpersons of the joint committee on finance, in writing, that the state is required to pay an interest payment. The notice shall contain an accounting of the amount of interest that the state is required to pay. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed payment of interest within 14 working days after the date of the secretary's notification, the payment may be made as proposed by the secretary. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed interest payment, no interest payment may be made without the approval of the committee.

**SECTION 81m.** 16.702 (4) of the statutes is amended to read:

16.702 **(4)** The department shall deposit all revenues received from fees assessed under this section in the ~~information technology investment~~ VendorNet fund.

**SECTION 82m.** 16.72 (2) (b) of the statutes is amended to read:

16.72 **(2)** (b) Except as provided in ~~s.~~ ss. 16.751 and 565.25 (2) (a) 4., the department shall prepare or review specifications for all materials, supplies,

equipment, other permanent personal property and contractual services not purchased under standard specifications. Such "nonstandard specifications" may be generic or performance specifications, or both, prepared to describe in detail the article which the state desires to purchase either by its physical properties or programmatic utility. When appropriate for such nonstandard items or services, trade names may be used to identify what the state requires, but wherever possible 2 or more trade names shall be designated and the trade name of any Wisconsin producer, distributor or supplier shall appear first.

**SECTION 82p.** 16.72 (2) (d) of the statutes is amended to read:

16.72 **(2)** (d) ~~To~~ Except as permitted in s. 16.751, to the extent possible, the department and any other designated purchasing agent under s. 16.71 (1) shall write specifications for the purchase of materials, supplies, commodities, equipment and contractual services so as to permit their purchase from prison industries, as created under s. 303.01 (1).

**SECTION 84.** 16.72 (6) and (7) of the statutes are repealed.

**SECTION 85m.** 16.75 (1) (a) 1. of the statutes is amended to read:

16.75 **(1)** (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment and contractual services to be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t), (6), (7), (8) and (9) and ss. 16.73 (4) (a), 16.751, 16.754, 50.05 (7) (f), 287.15 (7) and 301.265, shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery.

**SECTION 86m.** 16.75 (2m) (g) of the statutes is amended to read:

16.75 **(2m)** (g) After receiving each offerer's best and final offer, the department shall determine which proposal is most advantageous and shall award the order or contract to the person who offered it. The department's determination shall be based only on price and the other evaluation factors specified in the request for proposals. The department shall state in writing the reason for the award and shall place the statement in the contract file. This paragraph does not apply to procurements under s. 16.751.

**SECTION 89m.** 16.751 of the statutes is created to read:

**16.751 Information technology purchases by investment board. (1)** In this section, "information technology" has the meaning given under s. 16.97 (6).

**(2)** The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m) (g) do not apply to procurements by the investment board for information technology purposes.

**SECTION 93.** 16.76 (4) (a) of the statutes is amended to read:

16.76 **(4)** (a) In this subsection, "master lease" means an agreement entered into by the department on behalf of one or more agencies ~~for the lease of goods or the provision of~~ to obtain property or services under which the department makes or agrees to make periodic payments.

(ag) The department may pay or agree to pay ~~to the lessor~~ under a master lease a sum substantially equivalent to or in excess of the aggregate value of ~~goods involved~~ property or services obtained and it may be agreed that the department or one or more agencies will become, or for no other or nominal consideration has the option to become, the owner of ~~goods leased or to be leased~~ property obtained or to be obtained under a master lease upon full compliance with ~~the~~ its terms ~~of the agreement~~.

**SECTION 95.** 16.76 (4) (b) of the statutes is amended to read:

16.76 **(4)** (b) ~~The~~ Except as provided in par. (h), the department may enter into a master lease whenever the department determines that it is advantageous to the state to do so. If the master lease provides for payments to be made by the state from moneys that have not been appropriated at the time that the master lease is entered into, the master lease shall contain the statement required under s. 16.75 (3).

**SECTION 96.** 16.76 (4) (c) of the statutes is amended to read:

16.76 **(4)** (c) Payments under a master lease may include interest payable at a fixed or variable rate as the master lease may provide. The department may enter into agreements and ancillary arrangements which the department determines to be necessary to facilitate the use of a master lease~~, including liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, interest rate guaranty agreements, reimbursement agreements and indexing agreements~~.

**SECTION 97.** 16.76 (4) (e) of the statutes is amended to read:

16.76 **(4)** (e) The department may grant ~~the lessor~~ a perfected security interest in ~~goods leased~~ property obtained or to be ~~leased~~ obtained under ~~each~~ a master lease. The department shall record and preserve evidence of the security interest in its offices at all times during which the master lease is in effect.

**SECTION 98.** 16.76 (4) (f) of the statutes is amended to read:

16.76 **(4)** (f) The department may appoint one or more fiscal agents for each master lease. Each fiscal agent shall be an incorporated bank or trust company authorized by the laws of the United States or of the state in which it is located to do business as a banking or trust company. ~~Sections 16.705 and 16.75 do not apply to contracts for fiscal agent services.~~ The department shall periodically require

competitive proposals, under procedures established by the department, for fiscal agent services under this paragraph. There may be deposited with a fiscal agent, in a special account for such purpose only, a sum estimated to be sufficient to enable the fiscal agent to make all payments which will come due under the master lease not more than 15 days after the date of deposit. The department may make such other provisions respecting fiscal agents as it considers necessary or useful and may enter into a contract with any fiscal agent containing such terms, including compensation, and conditions in regard to the fiscal agent as it considers necessary or useful.

**SECTION 99.** 16.76 (4) (g) of the statutes is created to read:

16.76 **(4)** (g) Sections 16.705 and 16.75 do not apply to agreements or ancillary agreements under par. (c) or contracts for fiscal agent services under par. (f).

**SECTION 100.** 16.76 (4) (h) of the statutes is created to read:

16.76 **(4)** (h) A master lease may not be used to obtain a facility for use or occupancy by the state or an agency or instrumentality of the state or to obtain an internal improvement.

**SECTION 102.** 16.76 (4) (j) of the statutes is created to read:

16.76 **(4)** (j) If a master lease is used to finance payments to be made under an energy conservation construction project as provided in s. 16.858 (2), payments under the lease may not be conditioned upon any payment required to be made by the contractor pursuant to an energy conservation audit.

**SECTION 105m.** 16.857 of the statutes is created to read:

**16.857 Agency building maintenance. (1)** In this section, "agency" has the meaning given under s. 16.70 (1).

**(2)** The department shall require each agency to which moneys are appropriated in any fiscal period for capital building maintenance purposes to

submit a work plan to the department describing the agency's proposal for expenditure of those moneys. The plan shall be submitted for such period as the secretary may require, and shall be filed no later than the date prescribed by the secretary. Upon approval of a work plan by the department, the department shall forward the plan to the building commission for its review and approval under s. 13.48 (30).

**(3)** Notwithstanding s. 16.50 (2), the secretary may withhold approval of any proposed expenditure under s. 16.50 (2) by any agency for any significant capital building maintenance project, as determined by the secretary, if a project does not conform to a work plan approved by the department and the building commission.

**(4)** Following the end of each fiscal year, the department shall submit a report to the joint committee on finance concerning the expenditure of capital building maintenance moneys by each agency and capital building maintenance work completed by each agency during the preceding fiscal year.

**SECTION 106.** 16.858 (2) of the statutes is renumbered 16.858 (2) (a) and amended to read:

16.858 **(2)** (a) ~~Any~~ A contract under sub. (1) ~~shall require~~ may provide for the construction work to be financed by the state or by the contractor ~~to undertake the construction work at its own expense~~. The contract shall provide for the state to pay a ~~maximum~~ stated amount, which shall include any financing costs incurred by the contractor. The ~~maximum~~ stated amount may not exceed the minimum savings determined under the audit to be realized by the state within the period specified in the audit. The state shall make payments under the contract as the savings identified in the audit are realized by the state, in the amounts actually realized, but not to exceed the lesser of the ~~maximum~~ stated amount or the actual amount of the

savings realized by the state within the period specified in the audit. If the department provides financing for construction work, the department may finance any portion of the cost of the work under a master lease entered into as provided under s. 16.76 (4). If the department provides financing for the construction work and the stated amount to be paid by the state under the contract is greater than the amount of the savings realized by the state within the period specified in the audit under sub. (1), the contract shall require the contractor to remit the difference to the department.

(b) The department shall charge the cost of ~~the~~ payments made by the state to the contractor to the applicable appropriation for fuel and utility costs at the building, structure or facility where the work is performed in the amounts equivalent to the savings that accrue to the state under that appropriation from expenditures not made as a result of the construction work, as determined by the department in accordance with the contract. The department may also charge its costs for negotiation ~~and~~, administration and financing of the contract to the same appropriation.

**SECTION 107.** 16.858 (4) of the statutes is amended to read:

16.858 **(4)** No later than January 1 of each year, the secretary shall report to the cochairpersons of the joint committee on finance identifying any construction work for which the department has contracted under this section for which ~~the state has not made its~~ final payment has not been made as of the date of the preceding report, together with the actual energy cost savings realized by the state as a result of the contract to date, or the estimated energy cost savings to be realized by the state if the total savings to be realized in the audit under sub. (1) have not yet been realized, ~~and~~ the date on which the state made its final payment under the contract

or, if the final payment has not been made, the latest date on which the state is obligated to make its final payment under the contract, and any amount that remains payable to the state under the contract.

**SECTION 109.** 16.956 of the statutes is repealed.

**SECTION 110.** 16.964 (6) of the statutes is created to read:

16.964 **(6)** (a) In this subsection, "tribe" means a federally recognized American Indian tribe or band in this state.

(b) From the appropriation under s. 20.505 (6) (ks), the office shall provide grants to tribes to fund tribal law enforcement operations. To be eligible for a grant under this subsection, a tribe must submit an application for a grant to the office that includes a proposed plan for expenditure of the grant moneys. The office shall review any application and plan submitted to determine whether that application and plan meet the criteria established under par. (c). The office shall review the use of grant money provided under this subsection to ensure that the money is used according to the approved plan.

(c) The office shall develop criteria and procedures for use in administering this subsection. Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated as rules under ch. 227.

**SECTION 110j.** 16.964 (7) of the statutes is created to read:

16.964 **(7)** (a) From the appropriation under s. 20.505 (6) (kq), the office shall provide grants to counties to fund county law enforcement services. The office may make a grant to a county under this subsection only if all of the following apply:

1. The county borders one or more federally recognized Indian reservations.

2. The county has not established a cooperative county–tribal law enforcement program under s. 165.90 with each federally recognized Indian tribe or band that has a reservation bordering the county.

3. The county demonstrates a need for the law enforcement services to be funded with the grant.

4. The county submits an application for a grant and a proposed plan that shows how the county will use the grant moneys to fund law enforcement services.

(b) The office shall review an application and plan submitted under par. (a) 4. to determine if the application and plan meet the requirements of par. (a) 1. to 3. and the criteria established under par. (c). The office may not award an annual grant in excess of $50,000 to any county under this subsection.

(c) The office shall develop criteria and procedures for use in administering this subsection. Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated as rules under ch. 227.

**SECTION 110k.** 16.964 (8) of the statutes is created to read:

16.964 **(8)** From the appropriation under s. 20.505 (6) (ks), the office shall make the following grants:

(a) To the Stockbridge–Munsee Indian tribe, $175,000 in each fiscal year for a public safety initiative.

(b) To the St. Croix Chippewa Indian tribe, $150,000 in each fiscal year to develop law enforcement capabilities on the reservation and trust lands of the tribe.

**SECTION 110m.** 16.965 (title), (1) and (2) of the statutes are created to read:

**16.965** (title) **Planning grants to local governmental units. (1)** In this section:

(a) "Local governmental unit" means a county, city, village, town or regional planning commission.

(b) "Smart growth area" means an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, state and utility services, where practicable, and that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental and utility costs.

(c) "Supporting agency" means the department of administration, the department of agriculture, trade and consumer protection, the department of commerce, the department of natural resources, the department of revenue and the board of regents of the University of Wisconsin System.

**(2)** From the appropriation under s. 20.505 (1) (kh), the department may provide grants to local governmental units to be used to finance the cost of planning activities, including contracting for planning consultant services, public planning sessions and other planning outreach and educational activities, or for the purchase of computerized planning data, planning software or the hardware required to utilize that data or software. The department may require any local governmental unit that receives a grant under this section to finance not more than 25% of the cost of the product or service to be funded by the grant from the resources of the local governmental unit. A local governmental unit that desires to receive a grant under this subsection shall file an application with the department. The application shall contain a complete statement of the expenditures proposed to be made for the purposes of the grant. No local governmental unit is eligible to receive a grant under this subsection unless the local governmental unit agrees to utilize the grant to finance planning for all of the purposes specified in s. 66.0295 (2).

**SECTION 110n.** 16.965 (title), (1) and (2) of the statutes, as created by 1999 Wisconsin Act .... (this act), are repealed.

**SECTION 110no.** 16.965 (3) of the statutes is created to read:

16.965 **(3)** Prior to awarding a grant to a local governmental unit under sub. (2), the department shall forward a statement of the expenditures proposed to be made under the grant to the Wisconsin land council for its written approval. The council may approve or disapprove any proposed grant.

**SECTION 110p.** 16.965 (3) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 110q.** 16.965 (4) of the statutes is created to read:

16.965 **(4)** In determining whether to approve a proposed grant, greater precedence shall be accorded to applications of local governmental units that contain one or more of the following elements:

(a) Planning efforts that address the interests of overlapping or neighboring jurisdictions.

(b) Planning efforts that contain a specific description of the means by which one or more of the following goals will be achieved:

1. Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.

2. Encouragement of neighborhood designs that support a range of transportation choices.

3. Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces and groundwater resources.

4. Protection of economically productive areas, including farmland and forests.

5. Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state governmental and utility costs.

6. Preservation of cultural, historic and archaeological sites.

7. Encouragement of coordination and cooperation among nearby units of government.

8. Building of community identity by maintaining physical separation between urban areas, revitalizing main streets and enforcing design standards.

9. Providing an adequate supply of affordable housing for individuals of all income levels throughout each community.

10. Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.

11. Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.

12. Balancing individual property rights with community interests and goals.

13. Planning and development of land uses that create or preserve varied and unique urban and rural communities.

(c) Planning efforts that identify smart growth areas.

(d) Planning efforts, including subsequent updates and amendments, that include development of implementing ordinances, including ordinances pertaining to zoning, subdivisions and land division.

(e) Planning efforts for which completion is contemplated within 30 months of the date on which a grant would be awarded.

(f) Planning efforts that provide opportunities for public participation.

**SECTION 110r.** 16.965 (4) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 110s.** 16.965 (5) of the statutes is created to read:

16.965 **(5)** The Wisconsin land council may promulgate rules specifying the methodology whereby precedence will be accorded to applications in awarding grants under sub. (2).

**SECTION 110t.** 16.965 (5) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 110u.** 16.965 (6) of the statutes is created to read:

16.965 **(6)** The department shall assess each supporting agency $250,000 per year to support planning assistance provided to local governmental units. Each supporting agency shall charge the cost of its assessment to the agency's appropriations for general program operations from general purpose revenue in the amounts specified by the secretary.

**SECTION 110v.** 16.965 (6) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 110w.** 16.9651 of the statutes is created to read:

**16.9651 Transportation planning grants to local governmental units.** **(1)** In this section, "local governmental unit" means a county, city, village, town or regional planning commission.

**(2)** From the appropriation under s. 20.505 (1) (z), the department may provide grants to local governmental units to be used to finance the cost of planning activities related to the transportation element, as described in s. 66.0295 (2) (c), of a comprehensive plan, as defined in s. 66.0295 (1) (a), including contracting for planning consultant services, public planning sessions and other planning outreach

and educational activities, or for the purchase of computerized planning data, planning software or the hardware required to utilize that data or software. The department may require any local governmental unit that receives a grant under this section to finance not more than 25% of the cost of the product or service to be funded by the grant from the resources of the local governmental unit. Prior to awarding a grant under this section, the department shall forward a detailed statement of the proposed expenditures to be made under the grant to the secretary of transportation and obtain his or her written approval of the proposed expenditures.

**SECTION 114m.** 16.967 (11) of the statutes is created to read:

16.967 **(11)** SOIL SURVEYS AND MAPPING. (a) The board may conduct soil surveys and soil mapping activities. The board may assess any state agency for any amount that the board determines to be required to conduct soil surveys and soil mapping activities. For this purpose, the board may assess state agencies on a premium basis and pay costs incurred on an actual basis. The board shall credit all moneys received from state agencies under this paragraph to the appropriation account under s. 20.505 (1) (kt).

(b) The board may contract with the board of commissioners of public lands to perform soil surveys and soil mapping activities on lands under the jurisdiction of the board of commissioners of public lands.

**SECTION 114n.** 16.967 (11) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 114p.** 16.971 (5) of the statutes is repealed.

**SECTION 115.** 16.971 (9) of the statutes is amended to read:

16.971 **(9)** In conjunction with the public defender board, the director of state courts, the departments of corrections and justice and district attorneys, the division may maintain, promote and coordinate automated justice information systems that are compatible among counties and the officers and agencies specified in this subsection, using the moneys appropriated under s. 20.505 (1) (ja) ~~and~~, (kp) and (kq). When acting under this subsection, the division shall give priority to assisting counties that show the greatest need for additional assistant district attorney positions based on the weighted prosecutor caseload measurement formula developed by the department of administration under s. 978.042 (1), unless such a county informs the division that it does not want to be given priority in receiving assistance. The division shall annually report to the legislature under s. 13.172 (2) concerning the division's efforts to improve and increase the efficiency of integration of justice information systems.

**SECTION 115e.** 16.973 (1) (a) of the statutes is renumbered 16.973 (1) (ar).

**SECTION 115m.** 16.973 (1) (ag) of the statutes is created to read:

16.973 **(1)** (ag) "Broadcasting corporation" has the meaning given under s. 39.81 (2).

**SECTION 115s.** 16.973 (2) (b) of the statutes is amended to read:

16.973 **(2)** (b) Provide such computer services and telecommunications services to local governmental units and the broadcasting corporation and provide such telecommunications services to qualified private schools, postsecondary institutions, museums and zoos as the division considers to be appropriate and as the division can efficiently and economically provide. The division may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates

chargeable to users served prior to exercise of this power as a result of exercising this power. The division may charge local governmental units, the broadcasting corporation and qualified private schools, postsecondary institutions, museums and zoos for services provided to them under this paragraph in accordance with a methodology determined by the secretary. Use of telecommunications services by a qualified private school or postsecondary institution shall be subject to the same terms and conditions that apply to a municipality using the same services. The division shall prescribe eligibility requirements for qualified museums and zoos to receive telecommunications services under this paragraph.

**SECTION 116.** 16.974 (7) of the statutes is amended to read:

16.974 **(7)** (a) ~~Subject to s. 196.218 (4r) (f), coordinate~~ Coordinate with the technology for educational achievement in Wisconsin board to provide school districts~~,~~ and cooperative educational service agencies ~~and technical college districts~~ with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with telecommunications providers to provide such access.

(b) ~~Coordinate~~ Subject to s. 44.73 (5), coordinate with the technology for educational achievement in Wisconsin board to provide private colleges ~~and~~, technical college districts, public library boards and public library systems with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with telecommunications providers to provide such access.

(c) Coordinate with the technology for educational achievement in Wisconsin board to provide private schools with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with telecommunications providers to provide such access.

**SECTION 117.** 16.974 (7) (d) of the statutes is created to read:

16.974 **(7)** (d) Coordinate with the technology for educational achievement in Wisconsin board to provide the Wisconsin School for the Visually Handicapped and the Wisconsin School for the Deaf with telecommunications access under s. 44.73 and contract with telecommunications providers to provide such access.

**SECTION 117m.** 16.98 (4) of the statutes is created to read:

16.98 **(4)** From the appropriation under s. 20.505 (1) (fo), the department may provide grants to any organization with which the department contracts to operate the program under sub. (1).

**SECTION 118.** 17.13 (intro.) of the statutes is amended to read:

**17.13 Removal of village, town, town sanitary district, school district ~~and~~, technical college <u>and family care district</u> officers.** (intro.) Officers of towns, town sanitary districts, villages, school districts ~~and~~, technical college districts <u>and family care districts</u> may be removed as follows:

**SECTION 119.** 17.13 (4) of the statutes is created to read:

17.13 **(4)** APPOINTIVE OFFICERS OF A FAMILY CARE DISTRICT. Any member of a family care district board appointed under s. 46.2895 (3) (a) 1., by the appointing authority for cause.

**SECTION 120.** 17.15 (5) of the statutes is created to read:

17.15 **(5)** FAMILY CARE DISTRICT. Any member of a family care district governing board appointed under s. 46.2895 (3) (a) 2. may be removed by the appointing authority for cause.

**SECTION 121.** 17.27 (3m) of the statutes is created to read:

17.27 **(3m)** FAMILY CARE DISTRICT BOARD. If a vacancy occurs in the position of any appointed member of a family care district board, the appointing authority shall

appoint to serve for the residue of the unexpired term a person who meets the applicable requirements under s. 46.2895 (3) (b).

**SECTION 121g.** 18.04 (2) of the statutes is renumbered 18.04 (2) (a) and amended to read:

18.04 **(2)** (a) ~~The~~ Except as provided in par. (b), commission shall authorize public debt to be contracted and evidences of indebtedness to be issued therefor up to the amounts specified by the legislature to acquire, construct, develop, extend, enlarge or improve land, waters, property, highways, buildings, equipment or facilities or to make funds available for veterans' housing loans for the classes of public purposes specified by the legislature as the funds are required. Said requirements for funds shall be established by that department or agency head having program responsibilities for which public debt has been authorized by the legislature.

**SECTION 121r.** 18.04 (2) (b) of the statutes is created to read:

18.04 **(2)** (b) 1. In this paragraph, "broadcasting corporation" has the meaning given in s. 39.81 (2).

2. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation and if the board of regents of the University of Wisconsin System has not contracted with the broadcasting corporation for the operation of television stations and for the joint use of production and broadcast facilities owned by the board, the commission may not authorize public debt to be contracted to aid in the acquisition, construction, development, enlargement or improvement of facilities and equipment related to the conversion to digital television for the University of Wisconsin System.

3. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation and if the district board of the Milwaukee Area Technical College has not contracted with the broadcasting corporation for the operation of television stations and for the joint use of production and broadcast facilities owned by the board, the commission may not authorize public debt to be contracted to aid in the acquisition, construction, development, enlargement or improvement of facilities and equipment related to the conversion to digital television for the Milwaukee Area Technical College.

**SECTION 122.** 18.51 of the statutes is amended to read:

**18.51 Provisions applicable.** The following sections apply to this subchapter, except that all references to "public debt" or "debt" ~~are deemed~~ shall be read to refer to a "revenue obligation" and all references to "evidences of indebtedness" shall be read to refer to "evidences of revenue obligation": ss. 18.02, 18.03, 18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11) and 18.17.

**SECTION 123.** 18.52 (2m) (intro.) of the statutes is created to read:

18.52 **(2m)** (intro.) "Enterprise obligation" means every undertaking by the state to repay a certain amount of borrowed money that is all of the following:

**SECTION 124.** 18.52 (5) (intro.) of the statutes is renumbered 18.52 (5) and amended to read:

18.52 **(5)** "Revenue obligation" means ~~every undertaking by the state to repay a certain amount of borrowed money which is:~~ an enterprise obligation or a special fund obligation. A revenue obligation may be both an enterprise obligation and a special fund obligation.

**SECTION 125.** 18.52 (5) (a) of the statutes is renumbered 18.52 (2m) (a) and amended to read:

18.52 **(2m)** (a) Created for the purpose of purchasing, acquiring, leasing, constructing, extending, expanding, adding to, improving, conducting, controlling, operating or managing a revenue–producing enterprise or program~~;~~.

**SECTION 126.** 18.52 (5) (b) of the statutes is renumbered 18.52 (2m) (b) and amended to read:

18.52 **(2m)** (b) Payable ~~solely~~ from and secured ~~solely~~ by the property or income or both of the enterprise or program~~; and~~.

**SECTION 127.** 18.52 (5) (c) of the statutes is renumbered 18.52 (2m) (c).

**SECTION 128.** 18.52 (7) of the statutes is created to read:

18.52 **(7)** "Special fund obligation" means every undertaking by the state to repay a certain amount of borrowed money that is all of the following:

(a) Payable from a special fund consisting of fees, penalties or excise taxes.

(b) Not public debt under s. 18.01 (4).

**SECTION 129.** 18.52 (8) of the statutes is created to read:

18.52 **(8)** "Special fund program" means a state program or purpose with respect to which the legislature has determined that financing with special fund obligations is appropriate and will serve a public purpose.

**SECTION 130.** 18.53 (3) of the statutes is renumbered 18.53 (3) (intro.) and amended to read:

18.53 **(3)** (intro.) The commission shall authorize money to be borrowed and evidences of revenue obligation to be issued ~~therefor up to the amounts specified by the legislature to purchase, acquire, lease, construct, extend, expand, add to, improve, conduct, control, operate or manage such revenue–producing enterprises~~

~~or programs as are specified by the legislature as the funds are required~~. The requirements for funds shall be established by the state department or agency head carrying out program responsibilities for which the revenue obligations have been authorized by the legislature~~.~~, but shall not exceed the following:

**SECTION 131.** 18.53 (3) (a) and (b) of the statutes are created to read:

18.53 **(3)** (a) In the case of enterprise obligations, the amounts specified by the legislature to purchase, acquire, lease, construct, extend, expand, add to, improve, conduct, control, operate or manage such revenue–producing enterprises or programs as are specified by the legislature.

(b) In the case of special fund obligations, the amount specified by the legislature for such expenditures to be paid from special fund obligations.

**SECTION 131m.** 18.55 (3) of the statutes is amended to read:

18.55 **(3)** (title) ~~REVENUE–OBLIGATION BONDS~~ REVENUE OBLIGATIONS. ~~Revenue–obligation bonds~~ Revenue obligations may be sold at either public or private sale. The commission may provide in the authorizing resolution for refunding ~~bonds~~ obligations that they be exchanged privately in payment and discharge of any of the outstanding bonds or notes being refunded. All ~~revenue–obligation bonds~~ revenue obligations sold at public sale shall be noticed as provided in the authorizing resolution. Any or all bids received at public sale may be rejected.

**SECTION 132.** 18.56 (1) of the statutes is renumbered 18.56 and amended to read:

**18.56 Revenue ~~bonds~~ obligations.** The commission may authorize, for any of the purposes described in s. 18.53 (3), the issuance of ~~revenue–obligation bonds~~ revenue obligations. The ~~bonds~~ revenue obligations shall mature at any time not

exceeding 50 years from the date thereof as the commission shall determine. The ~~bonds~~ revenue obligations shall be payable only out of the redemption fund provided under ~~sub.~~ s. 18.561 (5) or 18.562 (3) and each ~~bond~~ revenue obligation shall contain on its face a statement to that effect. ~~Any such bonds~~ A revenue obligation may contain a provision authorizing redemption, in whole or in part, at stipulated prices, at the option of the commission and shall provide the method of redeeming the ~~bonds. The state and a contracting party may provide in any contract for purchasing or acquiring a revenue–producing enterprise or program, that payment shall be made in such bonds~~ revenue obligations.

**SECTION 133.** 18.56 (2) to (6) of the statutes are renumbered 18.561 (2) to (6) and amended to read:

18.561 **(2)** SECURITY INTERESTS OF OWNERS OF ENTERPRISE OBLIGATIONS. There ~~shall be~~ is a mortgage lien upon or security interest in the income and property of each revenue–producing enterprise or program ~~to~~ for the benefit of the ~~holders~~ owners of the related ~~bonds and to the holders of the coupons of the bonds. The note or other instrument evidencing the security interest of a bondholder in a loan made or purchased with revenue obligation bonds shall constitute a statutory lien on the revenue~~ enterprise obligations. No physical delivery, recordation or other action is required to perfect the security interest. The income and property of the revenue–producing enterprise or program shall remain subject to the lien until provision for payment in full of the principal and interest of the ~~bonds~~ enterprise obligations has been made, as provided in the authorizing resolution. Any ~~holder~~ owner of such ~~bonds or attached coupons~~ enterprise obligations may either at law or in equity protect and enforce the lien and compel performance of all duties required by this section. If there is any default in the payment of the principal or interest of

any of such ~~bonds~~ enterprise obligations, any court having jurisdiction of the action may appoint a receiver to administer the revenue–producing enterprise or program on behalf of the state and the ~~bondholders~~ owners of the enterprise obligations, with power to charge and collect rates sufficient to provide for the payment of the operating expenses and also to pay any ~~bonds or~~ enterprise obligations outstanding against the revenue–producing enterprise or program, and to apply the income and revenues thereof in conformity with this subchapter and the authorizing resolution, or the court may declare the whole amount of the ~~bonds~~ enterprise obligations due and payable, if such relief is requested, and may order and direct the sale of the revenue–producing enterprise or program. Under any sale so ordered, the purchaser shall be vested with an indeterminate permit to maintain and operate the revenue–producing enterprise or program. The legislature may provide for additions, extensions and improvements to a revenue–producing enterprise or program to be financed by additional issues of ~~bonds~~ enterprise obligations as provided by this section. Such additional issues of ~~bonds~~ enterprise obligations shall be subordinate to all prior related issues of ~~bonds~~ enterprise obligations which may have been made under this section, unless the legislature, in the statute authorizing the initial issue of ~~bonds~~ enterprise obligations, permits the issue of additional ~~bonds~~ enterprise obligations on a parity therewith.

**(3)** DEDICATION OF REVENUES. As accurately as possible in advance, the commission and the state department or agency carrying out program responsibilities for which ~~bonds~~ enterprise obligations are to be issued shall determine, and the commission shall fix in the authorizing resolution for such ~~bonds~~ enterprise obligations: the proportion of the revenues of the revenue–producing enterprise or program which shall be necessary for the reasonable and proper

operation and maintenance thereof; the proportion of the revenues which shall be set aside as a proper and adequate replacement and reserve fund; and the proportion of the revenues which shall be set aside and applied to the payment of the principal and interest of the ~~bonds~~ enterprise obligations, and shall provide that the revenues be set aside in separate funds. At any time after one year's operation, the state department or agency and the commission may recompute the proportion of the revenues which shall be assignable under this subsection based upon the experience of operation or upon the basis of further financing.

**(4)** REPLACEMENT AND RESERVE FUND. The proportion set aside to the replacement and reserve fund shall be available and shall be used, whenever necessary, to restore any deficiency in the redemption fund for the payment of the principal and interest due on ~~bonds~~ enterprise obligations and for the creation and maintenance of any reserves established by the authorizing resolution to secure such payments. At any time when the redemption fund is sufficient for said purposes, moneys in the replacement and reserve fund may, subject to available appropriations, be expended either in the revenue–producing enterprise or program or in new acquisitions, constructions, extensions ~~or~~, additions, expansions or improvements. Any accumulations of the replacement and reserve fund may be invested as provided in this subchapter, and if invested, the income from the investment shall be carried in the replacement and reserve fund.

**(5)** REDEMPTION FUND. The proportion which shall be set aside for the payment of the principal and interest ~~of such bonds~~ on the enterprise obligations shall from month to month as they accrue and are received, be set apart and paid into a separate fund in the treasury or in an account maintained by a trustee ~~under sub. (9) (j)~~ appointed for that purpose in the authorizing resolution to be identified as "the ...

redemption fund". Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on the ~~revenue~~ enterprise obligations giving rise to it and premium, if any, due upon ~~refunding~~ redemption of any such obligations. Moneys in the redemption funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund.

**(6)** REDEMPTION FUND SURPLUS. If any surplus is accumulated in any of the redemption funds, subject to any contract rights vested in ~~holders~~ owners of ~~revenue~~ enterprise obligations secured thereby, it shall be paid over to the treasury.

**SECTION 134.** 18.56 (7) and (8) of the statutes are renumbered 18.561 (7) and (8).

**SECTION 135.** 18.56 (9) (intro.) of the statutes is renumbered 18.561 (9) and amended to read:

18.561 **(9)** AUTHORIZING RESOLUTION. The commission may provide in the authorizing resolution for ~~bonds~~ enterprise obligations or by subsequent action all things necessary to carry into effect this section. Any authorizing resolution shall constitute a contract with the ~~holder~~ owners of any ~~bonds~~ enterprise obligations issued pursuant to ~~such~~ the resolution. Any authorizing resolution may contain such provisions or covenants, without limiting the generality of the power to adopt the resolution, as ~~is~~ are deemed necessary or desirable for the security of ~~bondholders~~ the owners of enterprise obligations or the marketability of the ~~bonds, including but not limited to provisions as to:~~ enterprise obligations.

**SECTION 136m.** 18.56 (9) (a) to (j) of the statutes are repealed.

**SECTION 137.** 18.56 (10) of the statutes is renumbered 18.561 (10) and amended to read:

18.561 **(10)** SINKING FUND. The authorizing resolution may set apart ~~bonds~~ enterprise obligations the par value of which are equal to the principal amount of any secured obligation or charge subject to which a revenue–producing enterprise or program is to be purchased or acquired, and shall set aside in a sinking fund from the income of the revenue–producing enterprise or program, a sum sufficient to comply with the requirements of the instrument creating the security~~, or if~~ interest. If the instrument does not make any provision ~~therefor~~ for a sinking fund, the resolution shall fix and determine the amount ~~which~~ that shall be set aside into ~~such~~ the sinking fund from month to month for interest on the secured obligation or charge, and a fixed amount or proportion not exceeding a stated sum, which shall be not less than one percent of the principal, to be set aside into the fund to pay the principal of the secured obligation or charge. Any balance in the fund after satisfying the secured obligations or charge~~,~~ shall be transferred to the redemption fund. ~~Bonds~~ Enterprise obligations set aside for the secured obligation or charge may, from time to time, be issued to an amount sufficient with the amount then in the sinking fund, to pay and retire the secured obligation or charge or any portion thereof. The ~~bonds~~ enterprise obligations may be issued in exchange for or satisfaction of the secured obligation or charge, or may be sold in the manner provided in this subchapter, and the proceeds applied in payment of the same at maturity or before maturity by agreement with the ~~holder~~ owner of the secured obligation or charge. The commission and the owners of any revenue–producing enterprise or program acquired or purchased may, upon such terms and conditions as are satisfactory,

contract that ~~bonds~~ enterprise obligations to provide for the discharge of the secured obligation or charge, or for the whole purchase price shall be deposited with a trustee or depository and released from the deposit from time to time on such terms and conditions as are necessary to secure the payment of the secured obligation or charge.

**SECTION 138.** 18.561 (title) of the statutes is created to read:

**18.561** (title) **Enterprise obligations.**

**SECTION 139.** 18.561 (1) of the statutes is created to read:

18.561 **(1)** PAYMENT WITH REVENUE OBLIGATIONS. The state and a contracting party may provide, in any contract for purchasing or acquiring a revenue–producing enterprise or program, that payment shall be made in revenue obligations.

**SECTION 140.** 18.561 (7) (title) of the statutes is created to read:

18.561 **(7)** (title) PAYMENT FOR SERVICES.

**SECTION 141.** 18.561 (8) (title) of the statutes is created to read:

18.561 **(8)** (title) RATES FOR SERVICES.

**SECTION 143.** 18.562 of the statutes is created to read:

**18.562 Special fund obligations. (1)** SECURITY INTEREST IN SPECIAL FUND. There is a security interest, for the benefit of the owners of the special fund obligations, in the amounts that arise after the creation of the special fund program in the special fund related to the special fund obligations. For this purpose, amounts in the special fund shall be accounted for on a first–in, first–out basis. No physical delivery, recordation or other action is required to perfect the security interest. The special fund shall remain subject to the security interest until provision for payment in full of the principal and interest of the special fund obligations has been made, as provided in the authorizing resolution. An owner of special fund obligations may

either at law or in equity protect and enforce the security interest and compel performance of all duties required by this section.

**(2)** USE OF SPECIAL FUND MONEYS. The commission and the state agency carrying out the special fund program responsibilities shall jointly determine, and the commission shall fix in the authorizing resolution for the obligations, the conditions under which money in the special fund shall be set aside and applied to the payment of the principal and interest of the obligations, deposited in funds established under the authorizing resolution or made available for other purposes.

**(3)** REDEMPTION FUND. The special fund revenues that are to be set aside for the payment of the principal and interest of the special fund obligations shall be paid into a separate fund in the treasury or in an account maintained by a trustee appointed for that purpose in the authorizing resolution to be identified as "the ... redemption fund". Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on the special fund obligations giving rise to it and premium, if any, due upon redemption of any such obligations. Moneys in the redemption funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund.

**(4)** SURPLUS. If any surplus is accumulated in any of the redemption funds, subject to contract rights vested in the owners of special fund obligations secured thereby, it shall be paid over to the treasury.

**(5)** AUTHORIZING RESOLUTION. The commission may provide in the authorizing resolution for special fund obligations or by subsequent action all things necessary

to carry into effect this section. Any authorizing resolution shall constitute a contract with the owners of any special fund obligations issued pursuant to the resolution. An authorizing resolution may contain such provisions or covenants, without limiting the generality of the power to adopt the resolution, as are deemed necessary or desirable for the security of owners of special fund obligations or the marketability of the special fund obligations.

**SECTION 144.** 18.57 (title) of the statutes is repealed and recreated to read:

**18.57** (title) **Funds established for revenue obligations.**

**SECTION 145.** 18.57 (1) of the statutes is amended to read:

18.57 **(1)** A separate and distinct fund shall be established in the state treasury or in an account maintained by a trustee ~~under s. 18.56~~ appointed for that purpose by the authorizing resolution with respect to each revenue–producing enterprise or program the income from which is to be applied to the payment of any ~~revenue~~ enterprise obligation. A separate and distinct fund shall be established in the state treasury or in an account maintained by a trustee appointed for that purpose by the authorizing resolution with respect to any special fund that is created by the imposition of fees, penalties or excise taxes and is applied to the payment of special fund obligations. All moneys resulting from the issuance of evidences of revenue obligation shall be credited to the appropriate fund or applied for refunding or note renewal purposes, except that moneys which represent premium or accrued interest received on the issuance of evidences shall be credited to the appropriate redemption fund.

**SECTION 146.** 18.57 (4) of the statutes is renumbered 18.57 (4) (intro.) and amended to read:

18.57 **(4)** (intro.) If, after all outstanding related revenue obligations have been paid or payment provided for, moneys remain in ~~any such~~ a fund~~, they~~ created under sub. (1), all of the following shall occur:

(a) If the fund created under sub. (1) is in an account maintained by a trustee appointed by an authorizing resolution, the moneys shall be paid over to the treasury ~~and the~~.

(b) The fund created under sub. (1) shall be closed.

**SECTION 147.** 18.58 (1) of the statutes is amended to read:

18.58 **(1)** MANAGEMENT OF FUNDS AND RECORDS. All funds established under this subchapter which are deposited in the state treasury shall be managed as provided by law for other state funds, subject to any contract rights vested in ~~holders~~ owners of evidences of revenue obligation secured by such fund. The department of administration shall maintain full and correct records of each fund. The legislative audit bureau shall audit each fund as of January 1 of each year reconciling all transactions and showing the fair market value of all property on hand. All records and audits shall be public documents. All funds established under this subchapter which are deposited with a trustee ~~under s. 18.56 (9) (j)~~ appointed for that purpose by the authorizing resolution shall be managed in accordance with resolutions authorizing the issuance of revenue obligations, agreements between the commission and the trustee and any contract rights vested in ~~holders of evidence~~ owners of revenue obligations secured by such fund.

**SECTION 147m.** 18.60 (title) of the statutes is amended to read:

**18.60** (title) **Refunding ~~bonds~~ obligations.**

**SECTION 148.** 18.60 (1) of the statutes is amended to read:

18.60 **(1)** The commission may authorize, for any one or more of the purposes described in s. 18.53 (1), the issuance of revenue–obligation refunding ~~bonds~~ obligations. Refunding ~~bonds~~ obligations may be issued, subject to any contract rights vested in ~~holders~~ owners of ~~bonds~~ obligations or notes being refinanced, to refinance more than one issue of ~~bonds~~ obligations or notes notwithstanding that the ~~bonds~~ obligations or notes may have been issued at different times for different purposes and may be secured by the property or income of more than one enterprise or program or special fund or may be public debt or building–corporation indebtedness. The principal amount of refunding ~~bonds~~ obligations shall not exceed the sum of: the principal amount of the ~~bonds~~ obligations or notes being refinanced; applicable redemption premiums; unpaid interest on the ~~bonds~~ obligations or notes to the date of delivery or exchange of the refunding ~~bonds~~ obligations; in the event the proceeds are to be deposited in trust as provided in sub. (3), interest to accrue on the ~~bonds~~ obligations or notes from the date of delivery to the date of maturity or to the redemption date selected by the commission, whichever is earlier; and the expenses incurred in the issuance of the refunding ~~bonds~~ obligations and the payment of the ~~bonds~~ obligations or notes. A determination by the commission that a refinancing is advantageous or that any of the amounts provided in the preceding sentence should be included in the refinancing shall be conclusive.

**SECTION 149.** 18.60 (2) of the statutes is amended to read:

18.60 **(2)** If the commission determines to exchange refunding ~~bonds~~ obligations, they may be exchanged privately for and in payment and discharge of any of the outstanding ~~bonds~~ obligations or notes being refinanced. Refunding ~~bonds~~ obligations may be exchanged for a like or greater principal amount of the ~~bonds~~ obligations or notes being exchanged therefor except that the principal

amount of the refunding ~~bonds~~ obligations may exceed the principal amount of the ~~bonds~~ obligations or notes being exchanged therefor only to the extent determined by the commission to be necessary or advisable to pay redemption premiums and unpaid interest to the date of exchange not otherwise provided for. The ~~holders~~ owners of the ~~bonds~~ obligations or notes being refunded who elect to exchange need not pay accrued interest on the refunding ~~bonds~~ obligations if and to the extent that interest is accrued and unpaid on the ~~bonds~~ obligations or notes being refunded and to be surrendered. If any of the ~~bonds~~ obligations or notes to be refinanced are to be called for redemption, the commission shall determine which redemption dates shall be used, if more than one date is applicable and shall, prior to the issuance of the refunding ~~bonds~~ obligations, provide for notice of redemption to be given in the manner and at the times required by the proceedings authorizing the outstanding ~~bonds~~ obligations or notes.

**SECTION 149g.** 18.60 (3) of the statutes is amended to read:

18.60 **(3)** The principal proceeds from the sale of any refunding ~~bonds~~ obligations shall be applied either to the immediate payment and retirement of the ~~bonds~~ obligations or notes being refinanced or, if the ~~bonds~~ obligations or notes have not matured and are not presently redeemable, to the creation of a trust for and shall be pledged to the payment of the ~~bonds~~ obligations or notes being refinanced. If a trust is created, a separate deposit shall be made for each issue of ~~bonds~~ obligations or notes being refinanced. Each deposit shall be with the state treasurer or a bank or trust company that is then a member of the federal deposit insurance corporation. If the total amount of any deposit, including money other than sale proceeds but legally available for such purpose, is less than the principal amount of the ~~bonds~~ obligations or notes being refinanced and for the payment of which the deposit has

been created and pledged, together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption, then the application of the sale proceeds shall be legally sufficient only if the money deposited is invested in securities issued by the United States or one of its agencies, or securities fully guaranteed by the United States, and only if the principal amount of the securities at maturity and the income therefrom to maturity will be sufficient and available, without the need for any further investment or reinvestment, to pay at maturity or upon redemption the principal amount of the ~~bonds~~ obligations or notes being refinanced together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption. The income from the principal proceeds of the securities shall be applied solely to the payment of the principal of and interest and redemption premiums on the ~~bonds~~ obligations or notes being refinanced, but provision may be made for the pledging and disposition of any surplus. Nothing in this subsection shall be construed as a limitation on the duration of any deposit in trust for the retirement of ~~bonds~~ obligations or notes being refinanced, but which have not matured and which are not presently redeemable. Nothing in this subsection shall be construed to prohibit reinvestment of the income of a trust if the reinvestments will mature at such times that sufficient cash will be available to pay interest, applicable premiums and principal on the ~~bonds~~ obligations or notes being refinanced.

**SECTION 149r.** 18.60 (4) of the statutes is amended to read:

18.60 **(4)** The commission may in addition to the other powers conferred by this subchapter, include a provision in any authorizing resolution for refunding ~~bonds~~ obligations pledging all or any part of the special fund or income of any enterprise or program originally financed from the proceeds of any of the ~~bonds~~ obligations or

notes being refinanced, or pledging all or any part of the surplus income derived from the investment of any trust created under sub. (3), or both.

**SECTION 150.** 18.60 (5) of the statutes is renumbered 18.60 (5) (intro.) and amended to read:

18.60 **(5)** (intro.) All of the following provisions ~~of s. 18.56~~ that are not inconsistent with the express provisions of this section shall apply to refunding ~~bonds~~ obligations, except that the maximum permissible term shall be 50 years from the date of original issue of the oldest note or ~~bond~~ obligation issue being refunded~~.~~:

**SECTION 151.** 18.60 (5) (a) to (c) of the statutes are created to read:

18.60 **(5)** (a) Section 18.56.

(b) In the case of enterprise obligations, s. 18.561.

(c) In the case of special fund obligations, s. 18.562.

**SECTION 152.** 18.61 (2) of the statutes is amended to read:

18.61 **(2)** The state pledges and agrees with the ~~holders~~ owners of ~~any evidences of~~ revenue ~~obligation~~ obligations that the state will not limit or alter its powers to fulfill the terms of any agreements made with the ~~holders~~ owners or in any way impair the rights and remedies of the ~~holders~~ owners until the revenue obligations, together with interest including interest on any unpaid instalments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of the ~~holders~~ owners, are fully met and discharged. The commission may include this pledge and agreement of the state in any agreement with the ~~holders of notes or bonds and in any evidence~~ owners of revenue obligation.

**SECTION 153.** 18.61 (3) (a) of the statutes is amended to read:

18.61 **(3)** (a) If the state fails to pay any revenue obligation in accordance with its terms, and default continues for a period of 30 days or if the state fails or refuses

to comply with this subchapter or defaults in any agreement made with the ~~holders~~ owners of any issue of revenue obligations, the ~~holders~~ owners of 25% in aggregate principal amount of the revenue obligations of the issue then outstanding by instrument recorded in the office of the register of deeds of Dane county and approved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the ~~holders~~ owners of the ~~notes or bonds~~ revenue obligations for the purposes specifically provided in the instrument.

**SECTION 154.** 18.61 (3) (b) (intro.) of the statutes is amended to read:

18.61 **(3)** (b) (intro.) The trustee may, and upon written request of the ~~holders~~ owners of 25% in aggregate principal amount of the revenue obligations of the issue then outstanding shall, in the trustee's own name:

**SECTION 155.** 18.61 (3) (b) 1. of the statutes is amended to read:

18.61 **(3)** (b) 1. By action or proceeding, enforce all rights of all ~~holders~~ owners of the issue of revenue obligations, including the right to require the state to collect enterprise or program income or special fund income adequate to carry out any agreement as to, or pledge of, such income and to require the state to carry out any other agreements with the ~~holders~~ owners of the revenue obligations and to perform its duties under this subchapter;

**SECTION 156.** 18.61 (3) (b) 3. of the statutes is amended to read:

18.61 **(3)** (b) 3. By action, require the state to account as if it were the trustee of an express trust for the ~~holders~~ owners of the revenue obligations;

**SECTION 157.** 18.61 (3) (b) 4. of the statutes is amended to read:

18.61 **(3)** (b) 4. By action, enjoin any acts or things which may be unlawful or in violation of the rights of the ~~holders~~ owners of the revenue obligations; and

**SECTION 158.** 18.61 (3) (c) of the statutes is amended to read:

18.61 **(3)** (c) The trustee shall have all of the powers necessary or appropriate for the exercise of any functions specifically set forth in this subchapter or incident to the general representation of the ~~holders~~ owners of revenue obligations in the enforcement and protection of their rights.

**SECTION 159.** 18.61 (4) of the statutes is amended to read:

18.61 **(4)** Any public officer or public employe, as defined in s. 939.22 (30), and the surety on the person's official bond, or any other person participating in any direct or indirect impairment of any fund established under this subchapter, shall be liable in any action brought by the attorney general in the name of the state, or by any taxpayer of the state, or by the ~~holder of any evidence~~ owner of revenue obligation payable in whole or in part, directly or indirectly, out of such fund, to restore to the fund all diversions from the fund.

**SECTION 159m.** 18.61 (5) of the statutes is amended to read:

18.61 **(5)** The legislature may provide, with respect to any specific issue of revenue obligations, prior to their issuance, that if the special fund income or the enterprise or program income pledged to the payment of the principal and interest of the issue is insufficient for that purpose, it will consider supplying the deficiency by appropriation of funds, from time to time, out of the treasury. If the legislature so provides, the commission may make the necessary provisions therefor in the authorizing resolution and other proceedings of the issue. Thereafter, if the contingency occurs, recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that it shall make such appropriation.

**SECTION 160.** 19.32 (1) of the statutes is amended to read:

19.32 **(1)** "Authority" means any of the following having custody of a record: a state or local office, elected official, agency, board, commission, committee, council,

department or public body corporate and politic created by constitution, law, ordinance, rule or order; a governmental or quasi–governmental corporation except for the Bradley center sports and entertainment corporation; a local exposition district under subch. II of ch. 229; a family care district under s. 46.2895; any court of law; the assembly or senate; a nonprofit corporation which receives more than 50% of its funds from a county or a municipality, as defined in s. 59.001 (3), and which provides services related to public health or safety to the county or municipality; a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3); or a formally constituted subunit of any of the foregoing.

**SECTION 164m.** 19.42 (13) (n) of the statutes is created to read:

19.42 **(13)** (n) The members of the public broadcasting transitional board.

**SECTION 165.** 19.82 (1) of the statutes is amended to read:

19.82 **(1)** "Governmental body" means a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order; a governmental or quasi–governmental corporation except for the Bradley center sports and entertainment corporation; a local exposition district under subch. II of ch. 229; a family care district under s. 46.2895; a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3); or a formally constituted subunit of any of the foregoing, but excludes any such body or committee or subunit of such body which is formed for or meeting for the purpose of collective bargaining under subch. I, IV or V of ch. 111.

**SECTION 166.** 20.002 (11) (b) of the statutes is renumbered 20.002 (11) (b) 1. and amended to read:

20.002 **(11)** (b) 1. The secretary of administration shall limit the total amount of any temporary reallocations to a fund other than the general fund to $400,000,000. ~~The~~

2. Except as provided in subd. 3, the secretary of administration shall limit the total amount of any temporary reallocations to the general fund at any one time during a fiscal year to an amount equal to 5% of the total amounts shown in the schedule under s. 20.005 (3) of appropriations of general purpose revenues, calculated by the secretary as of that time and for that fiscal year.

4. This paragraph does not apply to reallocations from the budget stabilization fund to the general fund.

**SECTION 167.** 20.002 (11) (b) 3. of the statutes is created to read:

20.002 **(11)** (b) 3. In addition to the amount permitted for temporary reallocations in subd. 2., the secretary may permit an additional 3% of the total amounts shown in the schedule under s. 20.005 (3) of appropriations of general purpose revenues, calculated by the secretary as of that time and for that fiscal year, to be used for temporary reallocations to the general fund but only if the reallocation is for a period not to exceed 30 days. Reallocations may not be made under this subdivision for consecutive periods.

**SECTION 168.** 20.003 (4) of the statutes is renumbered 20.003 (4) (intro.) and amended to read:

20.003 **(4)** REQUIRED GENERAL FUND BALANCE. (intro.) No bill directly or indirectly affecting general purpose revenues as defined in s. 20.001 (2) (a) may be enacted by the legislature if the bill would cause the estimated general fund balance on June 30 of any fiscal year specified in this subsection, as projected under s. 20.005 (1), to be an amount equal to less than ~~one percent~~ the following percentage of the

total general purpose revenue appropriations for that fiscal year plus any amount from general purpose revenue designated as "Compensation Reserves" for that fiscal year in the summary under s. 20.005 (1).:

**SECTION 169.** 20.003 (4) (a) to (g) of the statutes are created to read:

20.003 **(4)** (a) For fiscal year 1999–2000, 1%.

(b) For fiscal year 2000–01, 1.1%.

(c) For fiscal year 2001–02, 1.2%.

(d) For fiscal year 2002–03, 1.4%.

(e) For fiscal year 2003–04, 1.6%.

(f) For fiscal year 2004–05, 1.8%.

(g) For fiscal year 2005–06 and each fiscal year thereafter, 2%.

**SECTION 170.** 20.005 (1) of the statutes is repealed and recreated to read:

20.005 **(1)** SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 1999, and ending on June 30, 2001, is summarized as follows: [See Figure 20.005 (1) following]

**Figure: 20.005 (1)**

**GENERAL FUND SUMMARY**

| | **1999–00** | **2000–01** |
|---|---|---|
| **Opening Balance, July 1** | $ 506,621,500 | $ 586,551,900 |
| **Revenues and Transfers** | | |
| Estimated Taxes | $ 10,205,525,100 | $ 10,149,441,100 |
| Transfers from the Computer Escrow Fund | 64,000,000 | –0– |
| Estimated Departmental Revenues | | |
| Tobacco settlement | 185,031,900 | 148,984,800 |
| Other | 245,078,100 | 176,725,300 |

| | 1999–00 | 2000–01 |
|---|---|---|
| **Total Available** | $ 11,206,256,600 | $ 11,061,703,100 |
| **Appropriations, Transfers and Reserves** | | |
| Gross Appropriations | $ 10,535,256,200 | $ 10,908,319,800 |
| Compensation Reserves | 44,100,000 | 94,750,000 |
| Pending legislation | 500,000 | –0– |
| Transfers to: | | |
| Tobacco control fund | 2,492,000 | 26,600,000 |
| Property tax relief | 119,328,400 | –0– |
| Less estimated lapses | –81,971,900 | –94,000,500 |
| **Total Expenditures** | $ 10,619,704,700 | $ 10,935,669,300 |
| **Balances** | | |
| Gross Balance | $ 586,551,900 | $ 126,033,800 |
| Less Required Statutory Balance | –105,793,600 | –121,033,800 |
| **Net Balance, June 30** | $ 480,758,300 | $ 5,000,000 |

## SUMMARY OF APPROPRIATIONS — ALL FUNDS

| | 1999–00 | 2000–01 |
|---|---|---|
| General Purpose Revenue | $ 10,535,256,200 | $ 10,908,319,800 |
| Federal Revenue | 4,773,453,400 | 4,777,789,700 |
| Program Revenue | (4,141,029,500) | (4,195,766,700) |
| Segregated Revenue | (632,423,900) | (582,023,000) |
| Program Revenue | 2,653,912,500 | 2,721,342,200 |
| State | (1,889,777,100) | (1,942,216,200) |
| Service | (764,135,400) | (779,126,000) |
| Segregated Revenue | 2,247,605,900 | 2,267,376,700 |
| State | (2,032,966,300) | (2,050,445,300) |

| | 1999–00 | 2000–01 |
|---|---|---|
| Local | (69,498,000) | (64,892,900) |
| Service | (145,141,600) | (152,038,500) |
| **GRAND TOTAL** | $ 20,210,228,000 | $ 20,674,828,400 |

**SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

| | 1999–00 | 2000–01 |
|---|---|---|
| General Purpose Revenue | $ 44,100,000 | $ 94,750,000 |
| Federal Revenue | 12,536,800 | 26,935,600 |
| Program Revenue | 33,814,900 | 72,652,300 |
| Segregated Revenue | 7,876,000 | 16,921,900 |
| **TOTAL** | $ 98,327,700 | $ 211,259,800 |

**SECTION 171.** 20.005 (2) of the statutes is repealed and recreated to read:

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

**Figure: 20.005 (2) (a)**

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS**
**1999–01 FISCAL BIENNIUM**

| Source and Purpose | Amount |
|---|---|
| **GENERAL OBLIGATIONS** | |
| Administration | |
| Educational communications facilities | $ 18,067,800 |

| Source and Purpose | Amount |
|---|---|
| Agriculture, Trade and Consumer Protection | |
| Soil and water | 3,575,000 |
| | |
| Building Commission | |
| Other public purposes | 137,303,500 |
| Housing state agencies | 68,419,000 |
| Project contingencies | 7,955,200 |
| Capital equipment acquisitions | 21,058,300 |
| Refunding building corporation debt | –1,070,000 |
| | |
| Clean Water Fund | |
| Safe drinking water loan program | 3,870,000 |
| Urban storm water loan program | 4,100,000 |
| | |
| Corrections | |
| Correctional facilities | 102,998,800 |
| Juvenile correctional facilities | 1,285,000 |
| | |
| Educational Communications Board | |
| Educational communications facilities | 9,713,700 |
| Transfer bonding authority to DOA | –18,067,800 |
| | |
| Health and Family Services | |
| Mental health facilities | 6,993,200 |
| | |
| Historical Society | |
| Heritage trust | 20,000,000 |
| | |
| Marquette University | |
| Dental clinic and educational facility | 15,000,000 |
| | |
| Milwaukee Area Technical College | |
| Digital television conversion | 3,500,000 |

| Source and Purpose | Amount |
|---|---|
| Military Affairs | |
| Armories and military facilities | 827,100 |
| Natural Resources | |
| GPR supported administrative facilities | 2,586,600 |
| SEG supported facilities | 4,630,000 |
| SEG supported administrative facilities | 2,905,900 |
| Recreation development | 112,000 |
| Nonpoint source grants | 20,400,000 |
| Nonpoint source compliance | 2,000,000 |
| Urban nonpoint source cost sharing | 15,000,000 |
| Municipal flood control and riparian restoration | 3,000,000 |
| Transportation | |
| Harbor improvements | 3,000,000 |
| Rail acquisition | 4,500,000 |
| State Fair Park | |
| Board facilities | 1,887,100 |
| Self–amortizing facilities | 16,937,100 |
| Stewardship 2000 | 404,000,000 |
| University of Wisconsin | |
| Academic facilities | 68,499,600 |
| Self–amortizing facilities | 75,692,800 |
| Veterans Affairs | |
| Mortgage loans self amortizing | 213,000,000 |
| Self–amortizing mortgage loans | 13,909,100 |

| Source and Purpose | | Amount |
|---|---|---|
| **TOTAL General Obligation Bonds** | $ | 1,257,589,000 |

**REVENUE OBLIGATIONS**

| | | |
|---|---|---|
| Commerce | | |
| PECFA | $ | 270,000,000 |
| Transportation | | |
| Major highway projects | | 185,216,000 |
| **TOTAL Revenue Obligation Bonds** | $ | 455,216,000 |
| **GRAND TOTAL Bonding Authority Modifications** | $ | 1,712,805,000 |

**Figure: 20.005 (2) (b)**

**GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE FISCAL YEARS 1999–00 AND 2000–01**

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| ***20.115 Agriculture, trade and consumer protection, department of*** | | | | | |
| (2) | (d) | Principal repayment and interest | GPR | $ –0– | $ –0– |
| (7) | (f) | Principal repayment and interest | GPR | 48,500 | 180,600 |
| ***20.190 State fair park board*** | | | | | |
| (1) | (c) | Housing facilities principal repayment, interest and rebates | GPR | 867,000 | 864,000 |
| (1) | (d) | Principal repayment and interest | GPR | 17,600 | 128,700 |

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| ***20.225 Educational communications board*** | | | | | |
| (1) | (c) | Principal repayment and interest | GPR | 1,059,400 | 837,500 |
| ***20.245 Historical society*** | | | | | |
| (1) | (e) | Principal repayment, interest and rebates | GPR | 5,400 | 33,800 |
| (2) | (e) | Principal repayment and interest | GPR | 927,100 | 786,500 |
| (3) | (e) | Principal repayment and interest | GPR | –0– | 50,000 |
| (4) | (e) | Principal repayment and interest | GPR | –0– | –0– |
| (5) | (e) | Principal repayment and interest | GPR | 503,900 | 498,100 |
| ***20.250 Medical College of Wisconsin*** | | | | | |
| (1) | (e) | Principal repayment and interest | GPR | 185,300 | 158,700 |
| ***20.255 Public instruction, department of*** | | | | | |
| (1) | (d) | Principal repayment and interest | GPR | 1,255,700 | 1,130,000 |
| ***20.275 Technology for educational achievement in Wisconsin board*** | | | | | |
| (1) | (er) | Principal, interest and rebates; public library boards | GPR | 101,600 | 633,100 |
| (1) | (es) | Principal, interest and rebates; school boards | GPR | 2,070,600 | 4,709,400 |
| ***20.285 University of Wisconsin System*** | | | | | |
| (1) | (d) | Principal repayment and interest | GPR | 88,471,100 | 80,293,000 |
| (1) | (db) | Self–amortizing facilities principal and interest | GPR | –0– | –0– |
| (1) | (fh) | State laboratory of hygiene; principal repayment and interest | GPR | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| ***20.320 Environmental improvement program*** | | | | | |
| (1) | (c) | Principal repayment and interest – clean water fund program | GPR | 27,137,500 | 31,081,100 |
| (2) | (c) | Principal repayment and interest – safe drinking water loan program | GPR | 864,600 | 918,200 |
| ***20.370 Natural resources, department of*** | | | | | |
| (7) | (aa) | Resource acquisition and development – principal repayment and interest | GPR | 19,297,900 | 21,489,000 |
| (7) | (ac) | Principal repayment and interest – recreational boating bonds | GPR | –0– | –0– |
| (7) | (ba) | Debt service – remedial action | GPR | 1,623,600 | 2,452,500 |
| (7) | (ca) | Principal repayment and interest – nonpoint source grants | GPR | 2,340,200 | 2,643,200 |
| (7) | (cb) | Principal repayment and interest – pollution abatement bonds | GPR | 71,590,000 | 69,540,700 |
| (7) | (cc) | Principal repayment and interest – combined sewer overflow; pollution abatement bonds | GPR | 17,271,500 | 16,998,300 |
| (7) | (cd) | Principal repayment and interest – municipal clean drinking water grants | GPR | 848,100 | 846,900 |
| (7) | (ce) | Principal repayment and interest – nonpoint source compliance | GPR | 54,200 | 168,900 |
| (7) | (cf) | Urban nonpoint source cost sharing | GPR | –0– | –0– |
| (7) | (cg) | Municipal flood control and riparian restoration | GPR | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | 1999–00 | 2000–01 |
|---|---|---|---|
| (7) (ea) Administrative facilities – principal repayment and interest | GPR | 520,400 | 568,700 |
| ***20.410 Corrections, department of*** | | | |
| (1) (e) Principal repayment and interest | GPR | 49,422,800 | 49,709,200 |
| (1) (ec) Prison industries principal; interest and rebates | GPR | –0– | –0– |
| (3) (e) Principal repayment and interest | GPR | 4,361,400 | 4,131,600 |
| ***20.435 Health and family services, department of*** | | | |
| (2) (ee) Principal repayment and interest | GPR | 10,373,700 | 10,925,900 |
| (2) (ef) Lease rental payments | GPR | –0– | –0– |
| (6) (e) Principal repayment and interest | GPR | 32,500 | 31,400 |
| ***20.465 Military affairs, department of*** | | | |
| (1) (d) Principal repayment and interest | GPR | 3,092,900 | 2,977,100 |
| ***20.485 Veterans affairs, department of*** | | | |
| (1) (e) Lease rental payments | GPR | –0– | –0– |
| (1) (f) Principal repayment and interest | GPR | 1,551,000 | 1,526,000 |
| (4) (f) Repayment of principal and interest | GPR | –0– | –0– |
| ***20.505 Administration, department of*** | | | |
| (5) (c) Principal repayment and interest; Black Point Estate | GPR | 21,700 | 135,100 |
| (5) (d) Principal repayment and interest; educational communication board | GPR | –0– | –0– |
| ***20.867 Building commission*** | | | |
| (1) (a) Principal repayment and interest; housing of state agencies | GPR | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (1) | (b) | Principal repayment and interest; capitol and executive residence | GPR | 2,689,600 | 7,159,000 |
| (3) | (a) | Principal repayment and interest | GPR | –0– | 20,013,700 |
| (3) | (b) | Principal repayment and interest | GPR | 49,900 | –0– |
| (3) | (e) | Principal repayment, interest and rebates; parking ramp | GPR | –0– | –0– |
| **TOTAL General Purpose Revenue Debt Service** | | | | $ 308,656,700 | $ 333,619,900 |
| ***20.190 State fair park board*** | | | | | |
| (1) | (j) | State fair principal repayment, interest and rebates | PR | $ 1,554,800 | $ 1,701,700 |
| ***20.245 Historical society*** | | | | | |
| (2) | (j) | Self–amortizing facilities; principal repayment, interest and rebates | PR | 155,400 | 243,600 |
| ***20.275 Technology for educational achievement in Wisconsin board*** | | | | | |
| (1) | (h) | Principal, interest and rebates; school boards | PR | 2,942,300 | 4,711,600 |
| (1) | (hb) | Principal, interest and rebates; public library boards | PR | 278,800 | 633,100 |
| ***20.285 University of Wisconsin System*** | | | | | |
| (1) | (ih) | State laboratory of hygiene; principal repayment and interest. | PR | –0– | –0– |
| (1) | (kd) | Principal repayment, interest and rebates | PR | 25,858,600 | 30,629,000 |
| (1) | (ke) | Lease rental payments | PR | –0– | –0– |
| ***20.410 Corrections, department of*** | | | | | |
| (1) | (ko) | Prison industries principal repayment, interest and rebates | PR | 97,600 | 101,900 |

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| ***20.485 Veterans affairs, department of*** | | | | | |
| (1) | (go) | Self–amortizing housing facilities; principal repayment and interest | PR | –0– | 56,700 |
| ***20.505 Administration, department of*** | | | | | |
| (5) | (g) | Principal repayment, interest and rebates; parking | PR | 1,251,800 | 1,255,200 |
| (5) | (kc) | Principal repayment, interest and rebates | PR | 9,509,600 | 9,122,500 |
| ***20.855 Miscellaneous*** | | | | | |
| (8) | (a) | Marquette University; dental clinic and educational facility | PR | –0– | –0– |
| ***20.867 Building commission*** | | | | | |
| (3) | (bm) | Principal repayment and interest | PR | –0– | –0– |
| (3) | (g) | Principal repayment, interest and rebates; program revenues | PR | –0– | –0– |
| (3) | (h) | Principal repayment, interest and rebates | PR | –0– | –0– |
| (3) | (i) | Principal repayment, interest and rebates; capital equipment | PR | –0– | –0– |
| **TOTAL Program Revenue Debt Service** | | | | $ 41,648,900 | $ 48,455,300 |
| ***20.320 Environmental improvement program*** | | | | | |
| (1) | (t) | Principal repayment and interest – clean water fund program bonds | SEG | $ 4,000,000 | $ 4,000,000 |
| (1) | (u) | Principal repayment and interest – clean water fund program revenue obligation repayment | SEG | –0– | –0– |
| ***20.370 Natural resources, department of*** | | | | | |
| (7) | (aq) | Resource acquisition and development – principal repayment and interest | SEG | 238,700 | 247,900 |

| | | | | | |
|---|---|---|---|---|---|
| (7) | (ar) | Dam repair and removal – principal repayment and interest | SEG | 245,600 | 457,900 |
| (7) | (at) | Recreation development – principal repayment and interest | SEG | –0– | –0– |
| (7) | (au) | State forest acquisition and development | SEG | 2,000,000 | 2,000,000 |
| (7) | (eq) | Administrative facilities – principal repayment and interest | SEG | 1,280,100 | 1,500,200 |
| (7) | (er) | Administrative facilities – principal repayment and interest; environmental fund | SEG | 11,100 | 11,500 |
| ***20.395 Transportation, department of*** | | | | | |
| (6) | (aq) | Principal repayment and interest, transportation facilities, state funds | SEG | 6,110,100 | 6,015,900 |
| (6) | (ar) | Principal repayment and interest, buildings, state funds | SEG | 510,100 | 327,600 |
| ***20.485 Veterans affairs, department of*** | | | | | |
| (3) | (t) | Debt service | SEG | 71,080,000 | 76,633,900 |
| (3) | (v) | Revenue obligation repayment | SEG | –0– | –0– |
| (4) | (qm) | Repayment of principal and interest | SEG | 10,800 | 10,700 |
| **TOTAL Segregated Revenue Debt Service** | | | | $ 85,486,500 | $ 91,205,600 |
| **GRAND TOTAL All Debt Service** | | | | $ 435,792,100 | $ 404,280,800 |

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**SECTION 172.** 20.005 (3) of the statutes, as affected by 1999 Wisconsin Act 2, is repealed and recreated to read:

20.005 **(3)** APPROPRIATIONS. The following schedule sets forth all annual, biennial and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All

appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

**Figure: 20.005 (3)**

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| **Commerce** | | | | | | |
| **20.115 Agriculture, trade and consumer protection, department of** | | | | | | |
| (1) | FOOD SAFETY AND CONSUMER PROTECTION | | | | | |
| | (a) | General program operations | GPR | A | –0– | –0– |
| | | Food inspection | GPR | A | 3,287,400 | 3,287,400 |
| | | Meat and poultry inspection | GPR | A | 2,811,000 | 2,811,000 |
| | | Trade and consumer protection | GPR | A | 2,738,900 | 2,738,900 |
| | | NET APPROPRIATION | | | 8,837,300 | 8,837,300 |
| | (c) | Automobile repair regulation | GPR | A | 381,800 | 381,800 |
| | (g) | Related services | PR | A | 25,500 | 25,500 |
| | (gb) | Food regulation | PR | A | 3,720,100 | 3,720,100 |
| | (gf) | Fruit and vegetable inspection | PR | A | 1,390,700 | 1,390,700 |
| | (gh) | Public warehouse regulation | PR | A | 88,000 | 88,000 |
| | (gm) | Dairy and vegetable security and trade practices | PR | A | 580,200 | 580,200 |
| | (h) | Grain inspection and certification | PR | C | 2,795,000 | 2,795,000 |
| | (hm) | Ozone–depleting refrigerants and products regulation | PR | A | 334,500 | 334,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (i) | Sale of supplies | PR | A | 32,000 | 32,000 |
| (j) | Weights and measures inspection | PR | A | 843,700 | 843,700 |
| (jb) | Consumer information and education | PR | A | 75,000 | 75,000 |
| (jm) | Warehouse keeper and grain dealer regulation | PR | C | 323,900 | 323,900 |
| (m) | Federal funds | PR–F | C | 2,942,200 | 2,942,200 |
| (r) | Unfair sales act | SEG | A | 124,400 | 124,400 |
| (s) | Weights and measures; petroleum inspection fund | SEG | A | 367,000 | 367,000 |
| (u) | Recyclable and nonrecyclable products regulation | SEG | A | –0– | –0– |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 9,219,100 | 9,219,100 |
| | PROGRAM REVENUE | | | 13,150,800 | 13,150,800 |
| | FEDERAL | | | (2,942,200) | (2,942,200) |
| | OTHER | | | (10,208,600) | (10,208,600) |
| | SEGREGATED FUNDS | | | 491,400 | 491,400 |
| | OTHER | | | (491,400) | (491,400) |
| | TOTAL–ALL SOURCES | | | 22,861,300 | 22,861,300 |
| (2) | ANIMAL HEALTH SERVICES | | | | |
| (a) | General program operations | GPR | A | –0– | –0– |
| | Animal health services | GPR | A | 3,475,500 | 3,475,500 |
| | NET APPROPRIATION | | | 3,475,500 | 3,475,500 |
| (b) | Animal disease indemnities | GPR | S | 108,600 | 108,600 |
| (d) | Principal repayment and interest | GPR | S | –0– | –0– |
| (g) | Related services | PR | A | 2,122,500 | 2,122,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (gb) | Animal health and disease research; gifts and grants | PR | C | –0– | –0– |
| (h) | Sale of supplies | PR | A | 30,300 | 30,300 |
| (ha) | Inspection, testing and enforcement | PR | C | 246,200 | 246,200 |
| (i) | Mink research assessments | PR | A | 6,000 | 6,000 |
| (j) | Dog licenses, rabies control and related services | PR | A | 119,500 | 119,500 |
| (k) | Animal health contractual services | PR–S | C | –0– | –0– |
| (m) | Federal funds | PR–F | C | 125,800 | 125,800 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 3,584,100 | 3,584,100 |
| | PROGRAM REVENUE | | | 2,650,300 | 2,650,300 |
| | FEDERAL | | | (125,800) | (125,800) |
| | OTHER | | | (2,524,500) | (2,524,500) |
| | SERVICE | | | (–0–) | (–0–) |
| | TOTAL–ALL SOURCES | | | 6,234,400 | 6,234,400 |
| (3) | MARKETING SERVICES | | | | |
| (a) | General program operations | GPR | A | 2,209,800 | 2,209,800 |
| | NET APPROPRIATION | | | 1,909,800 | 1,909,800 |
| (c) | Export promotion program | GPR | S | 300,000 | 300,000 |
| (g) | Related services | PR | A | –0– | –0– |
| (ga) | Gifts and grants | PR | C | 25,000 | 25,000 |
| (h) | Grain inspection and certification | PR | C | –0– | –0– |
| (i) | Marketing orders and agreements | PR | C | 80,200 | 80,200 |
| (j) | Stray voltage program | PR | A | 273,400 | 273,400 |
| (ja) | Marketing services and materials | PR | C | 302,000 | 302,000 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (jm) | Stray voltage program; rural electric cooperatives | PR | A | 18,200 | 18,200 |
| (L) | Something special from Wisconsin promotion | PR | A | 30,500 | 30,500 |
| (m) | Federal funds | PR–F | C | 199,400 | 199,400 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 2,209,800 | 2,209,800 |
| | PROGRAM REVENUE | | | 928,700 | 928,700 |
| | FEDERAL | | | (199,400) | (199,400) |
| | OTHER | | | (729,300) | (729,300) |
| | TOTAL–ALL SOURCES | | | 3,138,500 | 3,138,500 |
| (4) | AGRICULTURAL ASSISTANCE | | | | |
| (a) | Aid to Wisconsin livestock breeders association | GPR | A | 40,000 | 40,000 |
| (b) | Aids to county and district fairs | GPR | S | 585,000 | 585,000 |
| (c) | Agricultural investment aids | GPR | B | 400,000 | 400,000 |
| (cd) | Federal dairy policy reform | GPR | B | 50,000 | 50,000 |
| (d) | Farmers tuition assistance grants | GPR | B | 5,000 | 5,000 |
| (e) | Aids to world dairy expo, inc. | GPR | A | 25,000 | 25,000 |
| (f) | Exposition center grants | GPR | A | 240,000 | 240,000 |
| (g) | Pari–mutuel racing supplemental aid | PR | C | –0– | –0– |
| (h) | Pari–mutuel racing supplemental aid to Wisconsin livestock breeders assn. | PR | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (i) | Agricultural investment aids; gifts and grants | PR | C | –0– | –0– |
| (q) | Grants for agriculture in the classroom program | SEG | A | 100,000 | 100,000 |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 1,345,000 | 1,345,000 |
| | PROGRAM REVENUE | | | –0– | –0– |
| | OTHER | | | (–0–) | (–0–) |
| | SEGREGATED FUNDS | | | 100,000 | 100,000 |
| | OTHER | | | (100,000) | (100,000) |
| | TOTAL–ALL SOURCES | | | 1,445,000 | 1,445,000 |
| (7) | AGRICULTURAL RESOURCE MANAGEMENT | | | | |
| (a) | General program operations | GPR | A | 1,722,700 | 1,733,500 |
| (b) | State conservation reserve enhancement program | GPR | B | 1,100,000 | 1,400,000 |
| (c) | Soil and water resource management program | GPR | C | 2,390,300 | 2,375,700 |
| (d) | Drainage board grants | GPR | A | –0– | 500,000 |
| (f) | Principal repayment and interest, soil and water | GPR | S | 48,500 | 180,600 |
| (g) | Agricultural impact statements | PR | C | 172,500 | 172,500 |
| (ga) | Related services | PR | C | 108,800 | 108,800 |
| (gb) | Agricultural resource management; gifts and grants | PR | C | –0– | –0– |
| (gm) | Seed testing and labeling | PR | C | 70,300 | 70,300 |
| (h) | Fertilizer research assessments | PR | C | 160,500 | 160,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ha) | Liming material research funds | PR | C | 25,000 | 25,000 |
| (ja) | Plant protection | PR | C | 147,100 | 170,900 |
| (k) | Agricultural resource management services | PR–S | C | 231,100 | 231,100 |
| (m) | Federal funds | PR–F | C | 2,130,700 | 2,130,700 |
| (q) | Gypsy moth eradication; conservation fund | SEG | A | 940,000 | 943,800 |
| (qb) | Gypsy moth eradication; segregated revenues | SEG | C | 216,700 | 220,600 |
| (qc) | Plant protection; conservation fund | SEG | A | 75,000 | 81,000 |
| (qd) | Soil and water management; environmental fund | SEG | A | 2,113,700 | 2,113,700 |
| (r) | General program operations; agrichemical management | SEG | A | 1,142,000 | 1,142,000 |
| (s) | Groundwater — standards; implementation | SEG | A | 778,900 | 778,900 |
| (t) | Fertilizer, additives and commercial feed regulation | SEG | A | 741,900 | 741,900 |
| (u) | Pesticide regulation and admin. of agricultural chemical cleanup program | SEG | A | 2,207,100 | 2,207,100 |
| (uc) | Pesticide sales and use reporting system administration | SEG | C | 250,000 | –0– |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ue) | Pesticide sales and use reporting system development | SEG | C | 150,000 | –0– |
| (v) | Chemical and container disposal | SEG | A | 560,400 | 560,400 |
| (wm) | Agricultural chemical cleanup reimbursement | SEG | C | 2,917,300 | 3,738,600 |
| | (7) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 5,261,500 | 6,189,800 |
| | PROGRAM REVENUE | | | 3,046,000 | 3,069,800 |
| | FEDERAL | | | (2,130,700) | (2,130,700) |
| | OTHER | | | (684,200) | (708,000) |
| | SERVICE | | | (231,100) | (231,100) |
| | SEGREGATED FUNDS | | | 12,093,000 | 12,528,000 |
| | OTHER | | | (12,093,000) | (12,528,000) |
| | TOTAL–ALL SOURCES | | | 20,400,500 | 21,787,600 |
| (8) | CENTRAL ADMINISTRATIVE SERVICES | | | | |
| (a) | General program operations | GPR | A | 4,162,600 | 4,162,600 |
| (g) | Gifts and grants | PR | C | –0– | –0– |
| (ga) | Milk standards program | PR | C | 388,100 | 388,100 |
| (gm) | Enforcement cost recovery | PR | A | 25,000 | 25,000 |
| (h) | Sale of material and supplies | PR | C | 50,600 | 50,600 |
| (ha) | General laboratory related services | PR | C | 40,000 | 40,000 |
| (hm) | Restitution | PR | C | –0– | –0– |
| (i) | Related services | PR | A | 201,200 | 201,200 |
| (j) | Electronic processing | PR | C | –0– | –0– |
| (k) | Computer system equipment, staff and services | PR–S | A | 2,004,400 | 1,504,400 |
| (kL) | Central services | PR–S | C | 698,100 | 698,100 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (km) General laboratory services | PR–S | B | 2,351,500 | 2,351,500 |
| (kp) General laboratory services; other agencies | PR–S | C | 40,100 | 40,100 |
| (ks) State contractual services | PR–S | C | –0– | –0– |
| (m) Federal funds | PR–F | C | 40,000 | 40,000 |
| (pz) Indirect cost reimbursements | PR–F | C | 458,200 | 458,200 |

(8) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 4,162,600 | 4,162,600 |
| PROGRAM REVENUE | 6,297,200 | 5,797,200 |
| FEDERAL | (498,200) | (498,200) |
| OTHER | (704,900) | (704,900) |
| SERVICE | (5,094,100) | (4,594,100) |
| TOTAL–ALL SOURCES | 10,459,800 | 9,959,800 |

20.115 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 25,782,100 | 26,710,400 |
| PROGRAM REVENUE | 26,073,000 | 25,596,800 |
| FEDERAL | (5,896,300) | (5,896,300) |
| OTHER | (14,851,500) | (14,875,300) |
| SERVICE | (5,325,200) | (4,825,200) |
| SEGREGATED FUNDS | 12,684,400 | 13,119,400 |
| OTHER | (12,684,400) | (13,119,400) |
| TOTAL–ALL SOURCES | 64,539,500 | 65,426,600 |

**20.143 Commerce, department of**

(1) ECONOMIC AND COMMUNITY DEVELOPMENT

| | | | | |
|---|---|---|---|---|
| (a) General program operations | GPR | A | 5,433,500 | 5,433,500 |
| (b) Economic development promotion, plans and studies | GPR | A | 120,000 | 120,000 |
| (bm) Aid to Forward Wisconsin, inc. | GPR | A | 500,000 | 500,000 |
| (br) Brownfields grant program; general purpose revenue | GPR | A | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (c) | Wisconsin development fund; grants, loans and assistance | GPR | B | 7,503,800 | 7,503,800 |
| (cb) | WI Dev. Fund; tech. & pollut. control & abatement grant & loans, assistance | GPR | B | –0– | –0– |
| (cf) | Community–based nonprofit organization grant for educational project | GPR | A | –0– | –0– |
| (dr) | Main street program | GPR | A | 460,700 | 461,400 |
| (e) | Technology–based economic development | GPR | A | 198,300 | 198,300 |
| (em) | Hazardous pollution prevention; contract | GPR | A | –0– | –0– |
| (en) | Business development initiative | GPR | A | 150,000 | 150,000 |
| (er) | Rural economic development program | GPR | B | 656,500 | 656,500 |
| (ew) | International trade, business and economic development grants | GPR | B | –0– | –0– |
| (fg) | Community–based economic development programs | GPR | A | 762,100 | 762,100 |
| (fm) | Minority business projects; grants and loans | GPR | B | 329,200 | 329,200 |
| (fy) | Women's business incubator grant | GPR | B | –0– | –0– |
| (g) | Gifts, grants and proceeds | PR | C | 607,000 | 607,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (gc) | Business development assistance center | PR | C | –0– | –0– |
| (gm) | Wisconsin development fund, administration of grants and loans | PR | C | 108,100 | 108,100 |
| (h) | Economic development operations | PR | A | –0– | –0– |
| (hm) | Certified capital companies | PR | C | –0– | –0– |
| (id) | Gaming economic diversification grants and loans; repayments | PR | A | –0– | –0– |
| (ie) | Wisconsin development fund, repayments | PR | C | 2,500,000 | 2,500,000 |
| (if) | Mining economic development grants and loans; repayments | PR | C | –0– | –0– |
| (ig) | Gaming economic development grants and loans; repayments | PR | A | –0– | –0– |
| (im) | Minority business projects; repayments | PR | C | 267,200 | 267,200 |
| (in) | Business development initiative loan repayments | PR | C | 60,000 | 60,000 |
| (ir) | Rural economic development loan repayments | PR | C | 120,100 | 120,100 |
| (jc) | Physician and health care provider loan assistance prog. repay.; penalties | PR | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (jL) | Health care provider loan assistance program; local contributions | PR | C | –0– | –0– |
| (jm) | Physician loan assistance program; local contributions | PR | C | –0– | –0– |
| (k) | Sale of materials or services | PR–S | C | 260,200 | 260,200 |
| (ka) | Sale of materials and services — local assistance | PR–S | C | –0– | –0– |
| (kb) | Sale of materials and services — individuals and organizations | PR–S | C | –0– | –0– |
| (kc) | Clean air act compliance assistance | PR–S | A | 169,400 | 169,400 |
| (kf) | American Indian economic development; technical assistance | PR–S | A | 25,000 | 25,000 |
| (kg) | American Indian economic development; liaison | PR–S | A | 59,700 | 59,700 |
| (kh) | American Indian economic development; liaison–grants | PR–S | A | 25,000 | 25,000 |
| (kj) | Gaming economic development grants and loans | PR–S | A | 4,500,000 | 3,000,000 |
| (km) | Gaming economic diversification grants and loans | PR–S | A | –0– | 2,500,000 |
| (kr) | Physician and hlth. care provider loan assist. programs, repay. & contracts | PR–S | C | 388,700 | 388,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (L) | Recycling market development; repayments | PR | C | 1,500,000 | 1,500,000 |
| (m) | Federal aid, state operations | PR–F | C | 1,293,800 | 1,293,800 |
| (n) | Federal aid, local assistance | PR–F | C | 34,400,000 | 34,400,000 |
| (o) | Federal aid, individuals and organizations | PR–F | C | –0– | –0– |
| (qa) | Brownfields redevelopment activities; administration | SEG | A | 269,000 | 269,000 |
| (qm) | Brownfields grant program; environmental fund | SEG | A | 5,800,000 | 6,400,000 |
| (r) | Mining economic development grants and loans | SEG | C | –0– | –0– |
| (st) | Recycling market development board; operations | SEG | A | 346,600 | 346,600 |
| (t) | Forestry education grant program | SEG | C | 100,000 | 100,000 |
| (tm) | Recycling market development board; contracts and assistance | SEG | B | 2,500,000 | 2,500,000 |
| (x) | Industrial building construction loan fund | SEG | C | –0– | –0– |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 16,114,100 | 16,114,800 |
| PROGRAM REVENUE | 46,284,200 | 47,284,200 |
| FEDERAL | (35,693,800) | (35,693,800) |
| OTHER | (5,162,400) | (5,162,400) |
| SERVICE | (5,428,000) | (6,428,000) |
| SEGREGATED FUNDS | 9,015,600 | 9,615,600 |
| OTHER | (9,015,600) | (9,615,600) |
| TOTAL–ALL SOURCES | 71,413,900 | 73,014,600 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (3) | REGULATION OF INDUSTRY, SAFETY AND BUILDINGS | | | | |
| (a) | General program operations | GPR | A | –0– | –0– |
| (de) | Small sewage system replacement and rehabilitation | GPR | C | 3,500,000 | 3,500,000 |
| (dm) | Storage tank inventory | GPR | A | –0– | –0– |
| (g) | Gifts and grants | PR | C | 18,000 | 18,000 |
| (ga) | Auxiliary services | PR | C | 25,000 | 25,000 |
| (gb) | Local agreements | PR | C | –0– | –0– |
| (h) | Local energy resource system fees | PR | A | –0– | –0– |
| (j) | Safety and buildings operations | PR | A | 16,043,800 | 16,349,500 |
| (ka) | Interagency agreements | PR–S | C | 101,200 | 101,200 |
| (ks) | Data processing | PR–S | C | –0– | –0– |
| (L) | Fire dues distribution | PR | C | 7,000,000 | 7,000,000 |
| (La) | Fire prevention and fire dues administration | PR | A | 623,600 | 623,600 |
| (Lm) | Petroleum storage remedial action fees | PR | A | –0– | 112,200 |
| (m) | Federal funds | PR–F | C | 621,800 | 621,800 |
| (ma) | Federal aid program administration | PR–F | C | –0– | –0– |
| (pz) | Indirect cost reimbursements | PR–F | C | –0– | –0– |
| (q) | Groundwater standards; implementation | SEG | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (r) | Safety and buildings operations; petroleum inspection fund | SEG | A | 6,801,600 | 6,831,400 |
| (t) | Petroleum inspection fund – revenue obligation repayment | SEG | S | –0– | –0– |
| (v) | Petroleum storage environmental remedial action; awards | SEG | B | 94,131,700 | 94,131,700 |
| (w) | Petroleum storage environmental remedial action; administration | SEG | A | 2,707,200 | 2,646,000 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 3,500,000 | 3,500,000 |
| PROGRAM REVENUE | 24,433,400 | 24,851,300 |
| FEDERAL | (621,800) | (621,800) |
| OTHER | (23,710,400) | (24,128,300) |
| SERVICE | (101,200) | (101,200) |
| SEGREGATED FUNDS | 103,640,500 | 103,609,100 |
| OTHER | (103,640,500) | (103,609,100) |
| TOTAL–ALL SOURCES | 131,573,900 | 131,960,400 |

(4) EXECUTIVE AND ADMINISTRATIVE SERVICES

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 1,701,300 | 1,701,900 |
| (g) | Gifts, grants and proceeds | PR | C | 12,000 | 12,000 |
| (k) | Sale of materials or services | PR–S | C | 43,100 | 43,100 |
| (ka) | Sale of materials and services — local assistance | PR–S | C | –0– | –0– |
| (kb) | Sale of materials and services — individuals and organizations | PR–S | C | –0– | –0– |
| (kd) | Administrative services | PR–S | A | 3,352,300 | 3,368,400 |
| (ke) | Transfer of unappropriated balances | PR–S | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (m) | Federal aid, state operations | PR–F | C | –0– | –0– |
| (n) | Federal aid, local assistance | PR–F | C | –0– | –0– |
| (o) | Federal aid, individuals and organizations | PR–F | C | –0– | –0– |
| (pz) | Indirect cost reimbursements | PR–F | C | 153,200 | 106,300 |

(4) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,701,300 | 1,701,900 |
| PROGRAM REVENUE | 3,560,600 | 3,529,800 |
| FEDERAL | (153,200) | (106,300) |
| OTHER | (12,000) | (12,000) |
| SERVICE | (3,395,400) | (3,411,500) |
| TOTAL–ALL SOURCES | 5,261,900 | 5,231,700 |

20.143 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 21,315,400 | 21,316,700 |
| PROGRAM REVENUE | 74,278,200 | 75,665,300 |
| FEDERAL | (36,468,800) | (36,421,900) |
| OTHER | (28,884,800) | (29,302,700) |
| SERVICE | (8,924,600) | (9,940,700) |
| SEGREGATED FUNDS | 112,656,100 | 113,224,700 |
| OTHER | (112,656,100) | (113,224,700) |
| TOTAL–ALL SOURCES | 208,249,700 | 210,206,700 |

**20.144 Financial institutions, department of**

(1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REG. AND OTHER FUNCTIONS

| | | | | | |
|---|---|---|---|---|---|
| (a) | Losses on public deposits | GPR | S | –0– | –0– |
| (g) | General program operations | PR | A | 11,684,600 | 11,576,900 |
| (h) | Gifts, grants, settlements and publications | PR | C | 65,000 | 65,000 |
| (i) | Investor education fund | PR | A | 100,000 | 100,000 |
| (u) | State deposit fund | SEG | S | –0– | –0– |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | –0– | –0– |
| PROGRAM REVENUE | 11,849,600 | 11,741,900 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (11,849,600) | (11,741,900) |
| SEGREGATED FUNDS | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 11,849,600 | 11,741,900 |
| (2) OFFICE OF CREDIT UNIONS | | | | |
| (g) General program operations | PR | A | 1,729,200 | 1,772,300 |
| (m) Credit union examinations, federal funds | PR–F | C | –0– | –0– |
| (2) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | 1,729,200 | 1,772,300 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (1,729,200) | (1,772,300) |
| TOTAL–ALL SOURCES | | | 1,729,200 | 1,772,300 |
| 20.144 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| PROGRAM REVENUE | | | 13,578,800 | 13,514,200 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (13,578,800) | (13,514,200) |
| SEGREGATED FUNDS | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 13,578,800 | 13,514,200 |
| **20.145 Insurance, office of the commissioner of** | | | | |
| (1) SUPERVISION OF THE INSURANCE INDUSTRY | | | | |
| (g) General program operations | PR | A | 10,699,700 | 10,715,000 |
| (gm) Gifts and grants | PR | C | –0– | –0– |
| (h) Holding company restructuring expenses | PR | C | –0– | –0– |
| (k) Administrative and support services | PR–S | A | 3,481,200 | 3,390,900 |
| (m) Federal funds | PR–F | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (1) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | 14,180,900 | 14,105,900 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (10,699,700) | (10,715,000) |
| SERVICE | | | (3,481,200) | (3,390,900) |
| TOTAL–ALL SOURCES | | | 14,180,900 | 14,105,900 |
| (2) PATIENTS COMPENSATION FUND | | | | |
| (q) Interest earned on future medical expenses | SEG | S | –0– | –0– |
| (u) Administration | SEG | A | 979,400 | 696,700 |
| (um) Peer review council | SEG | A | 102,500 | 102,500 |
| (v) Specified responsibilities, inv. board payments and future medical expenses | SEG | C | 54,702,000 | 54,697,400 |
| (2) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 55,783,900 | 55,496,600 |
| OTHER | | | (55,783,900) | (55,496,600) |
| TOTAL–ALL SOURCES | | | 55,783,900 | 55,496,600 |
| (3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND | | | | |
| (u) Administration | SEG | A | 647,200 | 669,700 |
| (v) Specified payments, fire dues and reinsurance | SEG | C | 9,637,200 | 9,637,200 |
| (3) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 10,284,400 | 10,306,900 |
| OTHER | | | (10,284,400) | (10,306,900) |
| TOTAL–ALL SOURCES | | | 10,284,400 | 10,306,900 |
| (4) STATE LIFE INSURANCE FUND | | | | |
| (u) Administration | SEG | A | 601,800 | 541,200 |
| (v) Specified payments and losses | SEG | C | 2,980,000 | 2,980,000 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (4) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 3,581,800 | 3,521,200 |
| OTHER | | | (3,581,800) | (3,521,200) |
| TOTAL–ALL SOURCES | | | 3,581,800 | 3,521,200 |
| 20.145 DEPARTMENT TOTALS | | | | |
| PROGRAM REVENUE | | | 14,180,900 | 14,105,900 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (10,699,700) | (10,715,000) |
| SERVICE | | | (3,481,200) | (3,390,900) |
| SEGREGATED FUNDS | | | 69,650,100 | 69,324,700 |
| OTHER | | | (69,650,100) | (69,324,700) |
| TOTAL–ALL SOURCES | | | 83,831,000 | 83,430,600 |
| **20.155 Public service commission** | | | | |
| (1) REGULATION OF PUBLIC UTILITIES | | | | |
| (g) Utility regulation | PR | A | 12,485,100 | 12,504,000 |
| (h) Holding company and nonutility affiliate regulation | PR | C | 585,000 | 585,000 |
| (i) Mobile home park regulation 20.155(1)(i) | PR | A | 59,100 | 59,100 |
| (j) Intervenor financing | PR | A | 250,000 | 250,000 |
| (L) Stray voltage program | PR | A | 200,000 | 200,000 |
| (Lb) Gifts for stray voltage program | PR | C | –0– | –0– |
| (Lm) Consumer education and awareness | PR | C | 185,000 | –0– |
| (m) Federal funds | PR–F | C | 75,200 | 75,200 |
| (n) Indirect costs reimbursement | PR–F | C | 19,000 | 19,000 |
| (q) Universal telecommunications service | SEG | A | 8,000,000 | –0– |
| (1) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | 13,858,400 | 13,692,300 |
| FEDERAL | | | (94,200) | (94,200) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (13,764,200) | (13,598,100) |
| SEGREGATED FUNDS | | | 8,000,000 | –0– |
| OTHER | | | (8,000,000) | (–0–) |
| TOTAL–ALL SOURCES | | | 21,858,400 | 13,692,300 |
| (2) OFFICE OF THE COMMISSIONER OF RAILROADS | | | | |
| (g) Railroad regulation and general program operations | PR | A | 483,300 | 483,300 |
| (m) Railroad regulation; federal funds | PR–F | C | –0– | –0– |
| (2) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | 483,300 | 483,300 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (483,300) | (483,300) |
| TOTAL–ALL SOURCES | | | 483,300 | 483,300 |
| 20.155 DEPARTMENT TOTALS | | | | |
| PROGRAM REVENUE | | | 14,341,700 | 14,175,600 |
| FEDERAL | | | (94,200) | (94,200) |
| OTHER | | | (14,247,500) | (14,081,400) |
| SEGREGATED FUNDS | | | 8,000,000 | –0– |
| OTHER | | | (8,000,000) | (–0–) |
| TOTAL–ALL SOURCES | | | 22,341,700 | 14,175,600 |
| **20.165 Regulation and licensing, department of** | | | | |
| (1) PROFESSIONAL REGULATION | | | | |
| (g) General program operations | PR | A | 9,258,300 | 9,283,400 |
| (gm) Applicant investigation reimbursement | PR | C | 180,100 | 180,100 |
| (h) Technical assistance; nonstate agencies and organizations | PR | C | –0– | –0– |
| (i) Examinations; general program operations | PR | C | 2,299,000 | 2,299,000 |
| (k) Technical assistance; state agencies | PR–S | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (m) Federal funds | PR–F | C | –0– | –0– |

20.165 DEPARTMENT TOTALS

| | | |
|---|---|---|
| PROGRAM REVENUE | 11,737,400 | 11,762,500 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (11,737,400) | (11,762,500) |
| SERVICE | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 11,737,400 | 11,762,500 |

**20.190 State fair park board**

(1) STATE FAIR PARK

| | | | | |
|---|---|---|---|---|
| (c) Housing facilities principal repayment, interest and rebates | GPR | S | 867,000 | 864,000 |
| (d) Principal repayment and interest | GPR | S | 17,600 | 128,700 |
| (h) State fair operations | PR | A | 12,472,800 | 12,645,100 |
| (i) State fair capital expenses | PR | C | 448,000 | 448,000 |
| (j) State fair principal repayment, interest and rebates | PR | S | 1,554,800 | 1,701,700 |
| (jm) Gifts and grants | PR | C | –0– | –0– |
| (m) Federal funds | PR–F | C | –0– | –0– |

20.190 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 884,600 | 992,700 |
| PROGRAM REVENUE | 14,475,600 | 14,794,800 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (14,475,600) | (14,794,800) |
| TOTAL–ALL SOURCES | 15,360,200 | 15,787,500 |

Commerce
FUNCTIONAL AREA TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 47,982,100 | 49,019,800 |
| PROGRAM REVENUE | 168,665,600 | 169,615,100 |
| FEDERAL | (42,459,300) | (42,412,400) |
| OTHER | (108,475,300) | (109,045,900) |
| SERVICE | (17,731,000) | (18,156,800) |
| SEGREGATED FUNDS | 202,990,600 | 195,668,800 |
| FEDERAL | (–0–) | (–0–) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (202,990,600) | (195,668,800) |
| SERVICE | | | (–0–) | (–0–) |
| LOCAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 419,638,300 | 414,303,700 |

# Education

**20.215 Arts board**

(1) SUPPORT OF ARTS PROJECTS

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 327,000 | 327,100 |
| (b) | State aid for the arts | GPR | A | 1,290,500 | 1,240,500 |
| (c) | Portraits of governors | GPR | A | –0– | –0– |
| (d) | Challenge grant program | GPR | A | 819,800 | 819,800 |
| (e) | High point fund | GPR | A | 100,000 | 100,000 |
| (f) | Wisconsin regranting program | GPR | A | 150,000 | 150,000 |
| (g) | Gifts and grants; state operations | PR | C | 20,000 | 20,000 |
| (h) | Gifts and grants; aids to individuals and organizations | PR | C | –0– | –0– |
| (k) | Funds received from other state agencies | PR–S | C | –0– | –0– |
| (ka) | Percent–for–art administration | PR–S | A | –0– | –0– |
| (km) | State aid for the arts; Indian gaming receipts | PR–S | A | 25,200 | 25,200 |
| (m) | Federal grants; state operations | PR–F | C | 350,100 | 350,100 |
| (o) | Federal grants; aids to individuals and organizations | PR–F | C | 275,000 | 275,000 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| 20.215 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,687,300 | 2,637,400 |
| PROGRAM REVENUE | | | 670,300 | 670,300 |
| FEDERAL | | | (625,100) | (625,100) |
| OTHER | | | (20,000) | (20,000) |
| SERVICE | | | (25,200) | (25,200) |
| TOTAL–ALL SOURCES | | | 3,357,600 | 3,307,700 |
| **20.218 Educational broadcasting corporation** | | | | |
| (1) PUBLIC BROADCASTING CORPORATION | | | | |
| (a) Educational broadcasting and transmissions | GPR | A | –0– | –0– |
| 20.218 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| **20.225 Educational communications board** | | | | |
| (1) INSTRUCTIONAL TECHNOLOGY | | | | |
| (a) General program operations | GPR | A | 3,905,400 | 3,906,100 |
| (b) Energy costs | GPR | A | 425,200 | 425,200 |
| (c) Principal repayment and interest | GPR | S | 1,059,400 | 837,500 |
| (d) Milwaukee area technical college | GPR | A | 330,000 | 330,000 |
| (eg) Transmitter construction | GPR | C | –0– | –0– |
| (er) Transmitter operation | GPR | A | 25,000 | 25,000 |
| (f) Programming | GPR | A | 1,536,500 | 1,537,100 |
| (g) Gifts, grants, contracts and leases | PR | C | 6,543,100 | 6,545,500 |
| (h) Instructional material | PR | A | 310,300 | 310,300 |
| (k) Funds received from other state agencies | PR–S | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (kb) | Emergency weather warning system operation | PR–S | A | 71,800 | 71,800 |
| (m) | Federal grants | PR–F | C | 1,821,800 | 471,800 |

20.225 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 7,281,500 | 7,060,900 |
| PROGRAM REVENUE | 8,747,000 | 7,399,400 |
| FEDERAL | (1,821,800) | (471,800) |
| OTHER | (6,853,400) | (6,855,800) |
| SERVICE | (71,800) | (71,800) |
| TOTAL–ALL SOURCES | 16,028,500 | 14,460,300 |

**20.235 Higher educational aids board**

(1) STUDENT SUPPORT ACTIVITIES

| | | | | | |
|---|---|---|---|---|---|
| (b) | Tuition grants | GPR | B | 19,279,900 | 20,238,100 |
| (cg) | Nursing student loans | GPR | A | –0– | –0– |
| (cr) | Minority teacher loans | GPR | A | 240,000 | 240,000 |
| (cu) | Teacher education loan program | GPR | A | 250,000 | 250,000 |
| (d) | Dental education contract | GPR | A | 1,167,000 | 1,167,000 |
| (e) | Minnesota–Wisconsin student reciprocity agreement | GPR | S | –0– | –0– |
| (fc) | Independent student grants program | GPR | B | –0– | –0– |
| (fd) | Talent incentive grants | GPR | B | 4,127,300 | 4,332,400 |
| (fe) | Wisconsin higher education grants; University of Wisconsin system students | GPR | B | 18,093,200 | 18,992,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ff) | Wisconsin higher education grants; technical college students | GPR | B | 12,327,600 | 12,940,300 |
| (fg) | Minority undergraduate retention grants program | GPR | B | 693,100 | 693,100 |
| (fj) | Handicapped student grants | GPR | B | 123,800 | 123,800 |
| (fy) | Academic excellence higher education scholarship program | GPR | S | 2,900,000 | 2,900,000 |
| (g) | Student loans | PR | A | –0– | –0– |
| (gg) | Nursing student loan repayments | PR | C | –0– | –0– |
| (gm) | Indian student assistance; contributions | PR | C | –0– | –0– |
| (i) | Gifts and grants | PR | C | –0– | –0– |
| (k) | Indian student assistance | PR–S | B | 779,800 | 779,800 |
| (km) | Wisconsin higher education grants; tribal college students | PR–S | B | 400,000 | 400,000 |
| (no) | Federal aid; aids to individuals and organizations | PR–F | C | 532,700 | 532,700 |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 59,201,900 | 61,877,200 |
| PROGRAM REVENUE | 1,712,500 | 1,712,500 |
| FEDERAL | (532,700) | (532,700) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (1,179,800) | (1,179,800) |
| TOTAL–ALL SOURCES | 60,914,400 | 63,589,700 |

(2) ADMINISTRATION

| | | | | | |
|---|---|---|---|---|---|
| (aa) | General program operations | GPR | A | 691,600 | 691,600 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (bb) | Student loan interest, loans sold or conveyed | GPR | S | –0– | –0– |
| (bc) | Write–off of uncollectible student loans | GPR | A | –0– | –0– |
| (bd) | Purchase of defective student loans | GPR | S | –0– | –0– |
| (ga) | Student interest payments | PR | C | 1,000 | 1,000 |
| (gb) | Student interest payments, loans sold or conveyed | PR | C | –0– | –0– |
| (ia) | Student loans; collection and administration | PR | C | –0– | –0– |
| (ja) | Write–off of defaulted student loans | PR | A | –0– | –0– |
| (n) | Federal aid; state operations | PR–F | C | –0– | –0– |
| (qa) | Student loan revenue obligation repayment | SEG | C | –0– | –0– |
| (qb) | Wisconsin health education loan revenue obligation repayment | SEG | C | 110,200 | 110,200 |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 691,600 | 691,600 |
| PROGRAM REVENUE | 1,000 | 1,000 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (1,000) | (1,000) |
| SEGREGATED FUNDS | 110,200 | 110,200 |
| OTHER | (110,200) | (110,200) |
| TOTAL–ALL SOURCES | 802,800 | 802,800 |

20.235 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 59,893,500 | 62,568,800 |
| PROGRAM REVENUE | 1,713,500 | 1,713,500 |
| FEDERAL | (532,700) | (532,700) |
| OTHER | (1,000) | (1,000) |
| SERVICE | (1,179,800) | (1,179,800) |
| SEGREGATED FUNDS | 110,200 | 110,200 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (110,200) | (110,200) |
| TOTAL–ALL SOURCES | | | 61,717,200 | 64,392,500 |

**20.245 Historical society**

(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES

| | | | | |
|---|---|---|---|---|
| (a) General program operations; archives and research services | GPR | A | 1,958,000 | 1,855,500 |
| (am) General program operations; library services | GPR | A | 2,184,800 | 2,287,300 |
| (e) Principal repayment, interest and rebates | GPR | S | 5,400 | 33,800 |
| (g) Admissions, sales and other receipts | PR | C | 529,200 | 529,200 |
| (h) Gifts and grants | PR | C | 146,400 | 146,400 |
| (k) Funds received from other state agencies | PR–S | C | 25,000 | 25,000 |
| (m) General program operations; federal funds | PR–F | C | 126,900 | 126,900 |
| (r) Endowment | SEG | C | 116,100 | 116,100 |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 4,148,200 | 4,176,600 |
| PROGRAM REVENUE | 827,500 | 827,500 |
| FEDERAL | (126,900) | (126,900) |
| OTHER | (675,600) | (675,600) |
| SERVICE | (25,000) | (25,000) |
| SEGREGATED FUNDS | 116,100 | 116,100 |
| OTHER | (116,100) | (116,100) |
| TOTAL–ALL SOURCES | 5,091,800 | 5,120,200 |

(2) HISTORIC SITES

| | STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| 1 | (a) | General program operations | GPR | A | 336,100 | 336,100 |
| 2 | (bd) | Stonefield Village | GPR | A | 198,800 | 198,800 |
| 3 | (be) | Pendarvis and First Capitol | GPR | A | 160,300 | 160,300 |
| 4 | (bf) | Villa Louis | GPR | A | 130,200 | 130,200 |
| 5 | (bg) | Old Wade House | GPR | A | 242,500 | 242,500 |
| 6 | (bh) | Madeline Island | GPR | A | 6,200 | 6,200 |
| 7 | (bi) | Old World Wisconsin | GPR | A | 635,000 | 635,000 |
| 8 | (bj) | H. H. Bennett Studios | GPR | A | 61,200 | 61,200 |
| 9 | (c) | Energy costs | GPR | A | 93,500 | 93,500 |
| 10 | (e) | Principal repayment and interest | GPR | S | 927,100 | 786,500 |
| 11 | (g) | Admissions, sales and other | | | | |
| 12 | | receipts | PR | A | 2,338,800 | 2,732,800 |
| 13 | (h) | Gifts and grants | PR | C | 58,000 | 58,000 |
| 14 | (j) | Self–amortizing facilities; principal | | | | |
| 15 | | repayment, interest and rebates | PR | S | 155,400 | 243,600 |
| 16 | (k) | Funds received from other state | | | | |
| 17 | | agencies | PR–S | C | –0– | –0– |
| 18 | (km) | Northern great lakes center | PR–S | A | 170,100 | 170,100 |
| 19 | (m) | General program operations; | | | | |
| 20 | | federal funds | PR–F | C | 64,300 | 64,300 |
| 21 | (r) | Endowment | SEG | C | 182,100 | 182,100 |
| 22 | (y) | Northern great lakes center; | | | | |
| 23 | | interpretive programming | SEG | A | 33,700 | 33,700 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (2) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,790,900 | 2,650,300 |
| PROGRAM REVENUE | | | 2,786,600 | 3,268,800 |
| FEDERAL | | | (64,300) | (64,300) |
| OTHER | | | (2,552,200) | (3,034,400) |
| SERVICE | | | (170,100) | (170,100) |
| SEGREGATED FUNDS | | | 215,800 | 215,800 |
| OTHER | | | (215,800) | (215,800) |
| TOTAL–ALL SOURCES | | | 5,793,300 | 6,134,900 |
| (3) HISTORIC AND BURIAL SITES PRESERVATION | | | | |
| (a) General program operations | GPR | A | 1,195,700 | 1,220,700 |
| (c) Neenah clock tower project | GPR | B | 50,000 | –0– |
| (d) Historical markers; state–funded markers and plaques | GPR | A | 10,000 | 10,000 |
| (dm) Historic preservation | GPR | C | 2,400 | 2,400 |
| (e) Principal repayment, interest and rebates | GPR | S | –0– | 50,000 |
| (g) Admissions, sales and other receipts | PR | A | 7,000 | 7,000 |
| (gm) Excavation and analysis; cataloged burial sites | PR | C | –0– | –0– |
| (h) Gifts and grants | PR | C | 16,000 | 16,000 |
| (k) Funds received from other state agencies | PR–S | C | –0– | –0– |
| (m) General program operations; federal funds | PR–F | C | 719,800 | 719,800 |
| (n) Federal aids | PR–F | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (r) | Endowment | SEG | C | –0– | –0– |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,258,100 | 1,283,100 |
| PROGRAM REVENUE | 742,800 | 742,800 |
| FEDERAL | (719,800) | (719,800) |
| OTHER | (23,000) | (23,000) |
| SERVICE | (–0–) | (–0–) |
| SEGREGATED FUNDS | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 2,000,900 | 2,025,900 |

(4) EXECUTIVE AND ADMINISTRATIVE SERVICES

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 1,873,700 | 1,873,700 |
| (c) | Energy costs | GPR | A | 148,000 | 148,000 |
| (e) | Principal repayment and interest | GPR | S | –0– | –0– |
| (g) | Admissions, sales and other receipts | PR | A | 173,100 | 173,100 |
| (h) | Gifts and grants | PR | C | 170,400 | 170,400 |
| (k) | General program operations – service funds | PR–S | C | 359,800 | 359,800 |
| (m) | General program operations; federal funds | PR–F | C | 3,000 | 3,000 |
| (pz) | Indirect cost reimbursements | PR–F | C | 95,000 | 95,000 |
| (q) | Endowment principal | SEG | C | –0– | –0– |
| (r) | Endowment | SEG | C | 161,400 | 161,400 |
| (s) | Transfer to Historical Society endowment fund | SEG | S | –0– | –0– |
| (t) | Historical legacy program | SEG | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (4) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,021,700 | 2,021,700 |
| PROGRAM REVENUE | | | 801,300 | 801,300 |
| FEDERAL | | | (98,000) | (98,000) |
| OTHER | | | (343,500) | (343,500) |
| SERVICE | | | (359,800) | (359,800) |
| SEGREGATED FUNDS | | | 161,400 | 161,400 |
| OTHER | | | (161,400) | (161,400) |
| TOTAL–ALL SOURCES | | | 2,984,400 | 2,984,400 |
| (5) MUSEUM | | | | |
| (a) General program operations | GPR | A | 1,035,300 | 1,035,300 |
| (c) Energy costs | GPR | A | 98,700 | 98,700 |
| (e) Principal repayment and interest | GPR | S | 503,900 | 498,100 |
| (g) Admissions, sales and other receipts | PR | C | 331,300 | 331,300 |
| (h) Gifts and grants | PR | C | 22,200 | 22,200 |
| (k) Funds received from other state agencies | PR–S | C | 1,110,400 | 1,110,400 |
| (m) General program operations; federal funds | PR–F | C | 15,300 | 15,300 |
| (r) Endowment | SEG | C | 19,600 | 19,600 |
| (5) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 1,637,900 | 1,632,100 |
| PROGRAM REVENUE | | | 1,479,200 | 1,479,200 |
| FEDERAL | | | (15,300) | (15,300) |
| OTHER | | | (353,500) | (353,500) |
| SERVICE | | | (1,110,400) | (1,110,400) |
| SEGREGATED FUNDS | | | 19,600 | 19,600 |
| OTHER | | | (19,600) | (19,600) |
| TOTAL–ALL SOURCES | | | 3,136,700 | 3,130,900 |
| 20.245 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 11,856,800 | 11,763,800 |
| PROGRAM REVENUE | | | 6,637,400 | 7,119,600 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| FEDERAL | | | (1,024,300) | (1,024,300) |
| OTHER | | | (3,947,800) | (4,430,000) |
| SERVICE | | | (1,665,300) | (1,665,300) |
| SEGREGATED FUNDS | | | 512,900 | 512,900 |
| OTHER | | | (512,900) | (512,900) |
| TOTAL–ALL SOURCES | | | 19,007,100 | 19,396,300 |

**20.250 Medical college of Wisconsin**

(1) TRAINING OF HEALTH PERSONNEL

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 4,105,100 | 4,105,100 |
| (b) | Family medicine and practice | GPR | A | 3,371,900 | 3,371,900 |
| (e) | Principal repayment and interest | GPR | S | 185,300 | 158,700 |
| (k) | Tobacco–related illnesses | PR–S | A | –0– | 500,000 |

20.250 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 7,662,300 | 7,635,700 |
| PROGRAM REVENUE | –0– | 500,000 |
| SERVICE | (–0–) | (500,000) |
| TOTAL–ALL SOURCES | 7,662,300 | 8,135,700 |

**20.255 Public instruction, department of**

(1) EDUCATIONAL LEADERSHIP

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 11,525,000 | 11,520,600 |
| (b) | General program operations; residential schools | GPR | A | 9,389,500 | 9,389,500 |
| (c) | Energy costs | GPR | A | 348,000 | 348,000 |
| (d) | Principal repayment and interest | GPR | S | 1,255,700 | 1,130,000 |
| (dt) | Educational assessment program | GPR | A | 394,100 | 417,400 |
| (dw) | Pupil assessment | GPR | A | 1,852,400 | 1,912,400 |
| (g) | Student activity therapy | PR | A | 6,500 | 6,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (gb) | Residential schools; nonresident fees | PR | C | 84,000 | 86,000 |
| (gt) | Residential schools; pupil transportation | PR | A | 906,300 | 906,300 |
| (hf) | Administrative leadership academy | PR | A | –0– | –0– |
| (hg) | Personnel certific., teacher supply, info. and analysis and teacher improv. | PR | A | 2,361,800 | 2,361,800 |
| (hm) | Services for drivers | PR | A | 231,500 | 231,500 |
| (i) | Publications | PR | A | 559,900 | 559,900 |
| (im) | Library products and services | PR | C | 660,700 | 660,700 |
| (jg) | School lunch handling charges | PR | A | 2,997,500 | 2,997,500 |
| (jm) | Professional services center charges | PR | A | 140,000 | 155,000 |
| (jr) | Gifts, grants and trust funds | PR | C | 395,000 | 395,000 |
| (js) | State–owned housing maintenance | PR | A | 7,100 | 7,100 |
| (jz) | School district boundary appeal proceedings | PR | C | 10,500 | 10,500 |
| (kd) | Alcohol and other drug abuse program | PR–S | A | 868,400 | 911,900 |
| (ke) | Funds transferred from other state agencies; program operations | PR–S | C | 1,290,800 | 1,292,700 |
| (km) | State agency library processing center | PR–S | A | 63,500 | 63,500 |
| (ks) | Data processing | PR–S | C | 1,715,900 | 1,716,000 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (me) | Federal aids; program operations | PR–F | C | 18,365,400 | 18,365,400 |
| (pz) | Indirect cost reimbursements | PR–F | C | 1,052,300 | 1,052,300 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 24,764,700 | 24,717,900 |
| | PROGRAM REVENUE | | | 31,717,100 | 31,779,600 |
| | FEDERAL | | | (19,417,700) | (19,417,700) |
| | OTHER | | | (8,360,800) | (8,377,800) |
| | SERVICE | | | (3,938,600) | (3,984,100) |
| | TOTAL–ALL SOURCES | | | 56,481,800 | 56,497,500 |
| (2) | AIDS FOR LOCAL EDUCATIONAL PROGRAMMING | | | | |
| (ac) | General equalization aids | GPR | S | 3,760,544,300 | 3,923,067,400 |
| (b) | Aids for special education and school age parents programs | GPR | A | 285,548,700 | 300,631,400 |
| (bc) | Aid for children–at–risk programs | GPR | A | 3,500,000 | 3,500,000 |
| (bh) | Aid to county children with disabilities education boards | GPR | A | 3,000,000 | 4,000,000 |
| (bi) | Additional aid for county handicapped children's education boards | GPR | A | –0– | –0– |
| (br) | Aid for special education transportation | GPR | A | –0– | –0– |
| (cc) | Bilingual–bicultural education aids | GPR | A | 8,291,400 | 8,291,400 |
| (cg) | Tuition payments; full–time open enrollment transfer payments | GPR | A | 7,974,900 | 8,373,600 |
| (cm) | Grants for school breakfast programs | GPR | C | 150,000 | 150,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (cn) | Aids for school lunches and nutritional improvement | GPR | A | 4,363,700 | 4,371,100 |
| (cp) | Wisconsin morning milk program | GPR | A | 671,400 | 710,600 |
| (cr) | Aid for pupil transportation | GPR | A | 17,742,500 | 17,742,500 |
| (cu) | Achievement guarantee contracts | GPR | A | 13,745,000 | 29,895,600 |
| (cv) | Achievement guarantee contracts; supplement | GPR | A | 4,739,000 | 4,739,000 |
| (cw) | Aid for trans. to instit. of higher education; part–time open enrollment | GPR | A | 20,000 | 20,000 |
| (cy) | Aid for transportation; full–time open enrollment | GPR | A | 275,000 | 500,000 |
| (dm) | Grants for alcohol & other drug abuse prevention & intervention programs | GPR | A | 4,520,000 | 4,520,000 |
| (do) | Grants for preschool to grade 5 programs | GPR | A | 7,353,700 | 7,353,700 |
| (eh) | Head start supplement | GPR | A | 3,712,500 | 3,712,500 |
| (em) | Driver education; local assistance | GPR | A | 4,493,700 | 4,493,700 |
| (fg) | Aid for cooperative educational service agencies | GPR | A | 300,000 | 300,000 |
| (fk) | Grant program for peer review and mentoring | GPR | A | 500,000 | 500,000 |
| (fm) | Charter schools | GPR | S | 3,132,200 | 11,666,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (fu) | Milwaukee parental choice program | GPR | S | 40,851,400 | 48,972,600 |
| (k) | Funds transferred from other state agencies; local aids | PR–S | C | 8,113,700 | 8,113,700 |
| (kd) | Aid for alcohol and other drug abuse programs | PR–S | A | 1,427,100 | 1,498,600 |
| (kh) | Head start supplement | PR–S | C | 3,712,500 | 3,712,500 |
| (km) | Alternative school American Indian language and culture education aid | PR–S | A | 198,000 | 203,000 |
| (kp) | Aid to Milwaukee public schools; federal block grant aids | PR–S | A | 1,410,000 | 1,410,000 |
| (m) | Federal aids; local aid | PR–F | C | 326,110,700 | 326,110,700 |
| (q) | General equalization aids; property tax relief fund | SEG | S | –0– | –0– |
| (s) | School library aids | SEG | C | 28,200,000 | 21,700,000 |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 4,175,429,400 | 4,387,511,100 |
| PROGRAM REVENUE | 340,972,000 | 341,048,500 |
| FEDERAL | (326,110,700) | (326,110,700) |
| SERVICE | (14,861,300) | (14,937,800) |
| SEGREGATED FUNDS | 28,200,000 | 21,700,000 |
| OTHER | (28,200,000) | (21,700,000) |
| TOTAL–ALL SOURCES | 4,544,601,400 | 4,750,259,600 |

(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS

| | | | | | |
|---|---|---|---|---|---|
| (c) | National teacher certification | GPR | S | 50,000 | 112,500 |
| (d) | Elks and Easter Seals center for respite and recreation | GPR | A | 50,000 | 50,000 |
| (e) | Aid to public library systems | GPR | A | 13,249,800 | 13,249,800 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ea) | Library service contracts | GPR | A | 1,012,000 | 1,047,300 |
| (ec) | Wisconsin geography alliance | GPR | A | 50,000 | 50,000 |
| (eg) | Milwaukee public museum | GPR | A | 50,000 | 50,000 |
| (fa) | Very special arts | GPR | A | 75,000 | 75,000 |
| (fg) | Special olympics | GPR | A | 75,000 | 75,000 |
| (fz) | Minority group pupil scholarships | GPR | A | 2,000,000 | 2,000,000 |
| (mm) | Federal funds; local assistance | PR–F | C | 1,115,000 | 1,115,000 |
| (ms) | Federal funds; individuals and organizations | PR–F | C | 38,746,400 | 38,292,900 |
| (q) | Periodical and reference information databases | SEG | A | 836,000 | 1,700,000 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 16,611,800 | 16,709,600 |
| PROGRAM REVENUE | 39,861,400 | 39,407,900 |
| FEDERAL | (39,861,400) | (39,407,900) |
| SEGREGATED FUNDS | 836,000 | 1,700,000 |
| OTHER | (836,000) | (1,700,000) |
| TOTAL–ALL SOURCES | 57,309,200 | 57,817,500 |

20.255 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 4,216,805,900 | 4,428,938,600 |
| PROGRAM REVENUE | 412,550,500 | 412,236,000 |
| FEDERAL | (385,389,800) | (384,936,300) |
| OTHER | (8,360,800) | (8,377,800) |
| SERVICE | (18,799,900) | (18,921,900) |
| SEGREGATED FUNDS | 29,036,000 | 23,400,000 |
| OTHER | (29,036,000) | (23,400,000) |
| TOTAL–ALL SOURCES | 4,658,392,400 | 4,864,574,600 |

**20.275 Technology for educational achievement in Wisconsin board**

(1) EDUCATIONAL TECHNOLOGY

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 676,100 | 676,100 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (b) | Foreign language instruction grants | GPR | A | –0– | 350,000 |
| (d) | Pioneering partners grants | GPR | A | –0– | –0– |
| (er) | Principal, interest & rebates; general purpose rev. – public library boards | GPR | S | 101,600 | 633,100 |
| (es) | Principal, interest and rebates; general purpose revenue – school districts | GPR | S | 2,070,600 | 4,709,400 |
| (et) | Educational technology training & technical assistance grants | GPR | A | 5,000,000 | 4,000,000 |
| (f) | Educational technology block grants | GPR | A | 35,000,000 | 35,000,000 |
| (g) | Gifts and grants | PR | C | –0– | –0– |
| (gf) | Payments from telecommunications carriers; school districts | PR–S | C | –0– | –0– |
| (gg) | Payments from telecommunications carriers; libraries | PR–S | C | –0– | –0– |
| (gh) | Payments from telecommunications carriers; private schools | PR–S | C | –0– | –0– |
| (gm) | Wisconsin advanced telecommunications foundation services | PR | C | 141,000 | 150,100 |
| (h) | Principal, interest and rebates; program revenue – school districts | PR | C | 2,070,600 | 4,709,400 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (hb) | Principal, interest & rebates; program revenue – public library boards | PR | C | 101,600 | 633,100 |
| (L) | Equipment purchases and leases | PR | C | –0– | –0– |
| (m) | Federal aid | PR–F | C | –0– | –0– |
| (s) | Telecommunications access; school districts | SEG | B | 6,427,100 | 7,195,700 |
| (t) | Telecommunications access; private and technical colleges and libraries | SEG | B | 1,850,700 | 2,014,600 |
| (tm) | Telecommunications access; private schools | SEG | B | 665,900 | 1,003,100 |
| (tu) | Telecommunications access; state schools | SEG | B | 55,200 | 55,200 |

20.275 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 42,848,300 | 45,368,600 |
| PROGRAM REVENUE | 2,313,200 | 5,492,600 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (2,313,200) | (5,492,600) |
| SERVICE | (–0–) | (–0–) |
| SEGREGATED FUNDS | 8,998,900 | 10,268,600 |
| OTHER | (8,998,900) | (10,268,600) |
| TOTAL–ALL SOURCES | 54,160,400 | 61,129,800 |

**20.285 University of Wisconsin system**

(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 748,769,600 | 756,351,600 |
| (ab) | Student aid | GPR | A | 1,315,300 | 1,315,300 |
| (am) | Distinguished professorships | GPR | A | 700,000 | 700,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (as) | Industrial and economic development research | GPR | A | 1,502,800 | 1,502,800 |
| (b) | Area health education centers | GPR | A | 929,300 | 929,300 |
| (bm) | Fee remissions | GPR | A | 30,000 | 30,000 |
| (c) | Energy costs | GPR | A | 42,267,000 | 42,267,000 |
| (cg) | Driver education teachers | GPR | C | 60,900 | 60,900 |
| (cm) | Educational technology | GPR | A | 6,376,300 | 6,376,300 |
| (d) | Principal repayment and interest | GPR | S | 88,471,100 | 80,293,000 |
| (da) | Lease rental payments | GPR | S | –0– | –0– |
| (db) | Self–amortizing facilities principal and interest | GPR | S | –0– | –0– |
| (ee) | Environmental educational grants | GPR | A | 200,000 | 200,000 |
| (em) | Schools of business | GPR | A | 1,425,500 | 1,425,500 |
| (eo) | Extension outreach | GPR | A | 298,200 | 298,200 |
| (er) | Grants for study abroad | GPR | A | 500,000 | 1,000,000 |
| (fc) | Department of family medicine and practice | GPR | A | 6,995,500 | 6,995,500 |
| (fd) | State laboratory of hygiene; general program operations | GPR | A | 6,864,600 | 6,924,600 |
| (fh) | State laboratory of hygiene; principal repayment and interest | GPR | S | –0– | –0– |
| (fm) | Laboratories | GPR | A | 4,187,500 | 4,187,500 |
| (fs) | Farm safety program grants | GPR | A | 20,000 | 20,000 |

| | STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| 1 | (ft) | Wisconsin humanities council | GPR | A | 50,000 | 50,000 |
| 2 | (fu) | Educational programming | GPR | A | –0– | –0– |
| 3 | (fx) | Alcohol and other drug abuse | | | | |
| 4 | | prevention and intervention | GPR | A | 50,700 | 50,700 |
| 5 | (g) | Physical plant service departments | PR | C | –0– | –0– |
| 6 | (ga) | Surplus auxiliary funds | PR | C | –0– | –0– |
| 7 | (gr) | Center for urban land economics | | | | |
| 8 | | research | PR | A | 175,000 | 175,000 |
| 9 | (h) | Auxiliary enterprises | PR | C | 375,826,000 | 388,027,300 |
| 10 | (ha) | Stores | PR | C | 8,700,400 | 8,700,400 |
| 11 | (hm) | Extension outreach | PR | C | 184,900 | 184,900 |
| 12 | (i) | State laboratory of hygiene | PR | C | 17,897,100 | 18,094,300 |
| 13 | (ia) | State laboratory of hygiene, drivers | PR | C | 945,800 | 763,000 |
| 14 | (ih) | State laboratory of hygiene; | | | | |
| 15 | | principal repayment and interest | PR | S | –0– | –0– |
| 16 | (im) | Academic student fees | PR | C | 438,925,000 | 446,087,400 |
| 17 | (ip) | Extension student fees | PR | C | 7,853,000 | 7,853,000 |
| 18 | (iz) | General operations receipts | PR | C | 77,317,300 | 77,868,300 |
| 19 | (j) | Gifts and donations | PR | C | 260,138,200 | 276,147,100 |
| 20 | (ja) | Gifts; student loans | PR | C | 3,398,600 | 3,398,600 |
| 21 | (jm) | Distinguished professorships | PR | C | 440,700 | 440,700 |
| 22 | (jp) | License plate scholarship programs | PR | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (k) | Funds transferred from other state agencies | PR–S | C | –0– | –0– |
| (ka) | Sale of real property | PR | C | –0– | –0– |
| (kb) | Great Lakes studies | PR–S | A | 32,000 | 32,000 |
| (kd) | Principal repayment, interest and rebates | PR–S | S | 25,858,600 | 30,629,000 |
| (ke) | Lease rental payments | PR–S | S | –0– | –0– |
| (kf) | Outdoors skills training | PR–S | A | 33,000 | 44,000 |
| (km) | Aquaculture demonstration facility; principal repayment and interest | PR–S | A | –0– | –0– |
| (kn) | Aquaculture demonstration facility; operational costs | PR–S | A | –0– | –0– |
| (kp) | Student–related activities | PR–S | C | –0– | –0– |
| (kr) | University of Wisconsin center for tobacco research and intervention | PR–S | C | 1,000,000 | 1,000,000 |
| (ks) | Extension local planning program | PR–S | A | 20,000 | 161,800 |
| (La) | Public broadcasting | PR–S | C | –0– | –0– |
| (Lm) | Laboratories | PR | A | 4,405,400 | 4,405,400 |
| (Ls) | Schools of business | PR | A | 592,300 | 592,300 |
| (m) | Federal aid | PR–F | C | 336,412,400 | 336,412,400 |
| (ma) | Federal aid; loans and grants | PR–F | C | 188,996,600 | 188,996,600 |
| (n) | Federal indirect cost reimbursement | PR–F | C | 74,846,800 | 74,846,800 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (q) | Telecommunications services | SEG | A | 864,000 | 864,000 |
| (qd) | Ginseng research | SEG | B | 125,000 | 125,000 |
| (r) | Environmental education; environmental assessments | SEG | C | 30,000 | 30,000 |
| (rc) | Environmental education; forestry | SEG | A | 200,000 | 200,000 |
| (tb) | Extension recycling education | SEG | A | 324,100 | 324,100 |
| (tm) | Solid waste research and experiments | SEG | A | 203,300 | 203,300 |
| (u) | Trust fund income | SEG | C | 21,718,900 | 23,502,000 |
| (w) | Trust fund operations | SEG | C | –0– | –0– |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 911,014,300 | 910,978,200 |
| PROGRAM REVENUE | 1,823,999,100 | 1,864,860,300 |
| FEDERAL | (600,255,800) | (600,255,800) |
| OTHER | (1,196,799,700) | (1,232,737,700) |
| SERVICE | (26,943,600) | (31,866,800) |
| SEGREGATED FUNDS | 23,465,300 | 25,248,400 |
| OTHER | (23,465,300) | (25,248,400) |
| TOTAL–ALL SOURCES | 2,758,478,700 | 2,801,086,900 |

(3) UNIVERSITY SYSTEM ADMINISTRATION

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 9,267,400 | 9,267,400 |
| (iz) | General operations receipts | PR | C | 242,400 | 242,400 |
| (n) | Federal indirect cost reimbursement | PR–F | C | 1,723,900 | 1,723,900 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 9,267,400 | 9,267,400 |
| PROGRAM REVENUE | 1,966,300 | 1,966,300 |
| FEDERAL | (1,723,900) | (1,723,900) |
| OTHER | (242,400) | (242,400) |
| TOTAL–ALL SOURCES | 11,233,700 | 11,233,700 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (4) MINORITY AND DISADVANTAGED PROGRAMS | | | | |
| (a) Minority and disadvantaged programs | GPR | A | 7,778,700 | 7,778,700 |
| (b) Graduate student financial aid | GPR | A | 4,265,500 | 4,477,500 |
| (dd) Lawton minority undergraduate grants program | GPR | A | 2,525,300 | 2,650,800 |
| (4) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 14,569,500 | 14,907,000 |
| TOTAL–ALL SOURCES | | | 14,569,500 | 14,907,000 |
| (5) UNIVERSITY OF WISCONSIN–MADISON INTERCOLLEGIATE ATHLETICS | | | | |
| (a) General program operations | GPR | A | 633,900 | 633,900 |
| (h) Auxiliary enterprises | PR | A | 31,533,200 | 32,355,700 |
| (i) Nonincome sports | PR | C | 327,600 | 327,600 |
| (j) Gifts and grants | PR | C | 5,914,800 | 5,914,800 |
| (5) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 633,900 | 633,900 |
| PROGRAM REVENUE | | | 37,775,600 | 38,598,100 |
| OTHER | | | (37,775,600) | (38,598,100) |
| TOTAL–ALL SOURCES | | | 38,409,500 | 39,232,000 |
| (6) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY | | | | |
| (a) Services received from authority | GPR | A | 3,845,600 | 3,845,600 |
| (g) Services provided to authority | PR | C | 27,392,300 | 27,392,300 |
| (6) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 3,845,600 | 3,845,600 |
| PROGRAM REVENUE | | | 27,392,300 | 27,392,300 |
| OTHER | | | (27,392,300) | (27,392,300) |
| TOTAL–ALL SOURCES | | | 31,237,900 | 31,237,900 |
| 20.285 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 939,330,700 | 939,632,100 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| PROGRAM REVENUE | | | 1,891,133,300 | 1,932,817,000 |
| FEDERAL | | | (601,979,700) | (601,979,700) |
| OTHER | | | (1,262,210,000) | (1,298,970,500) |
| SERVICE | | | (26,943,600) | (31,866,800) |
| SEGREGATED FUNDS | | | 23,465,300 | 25,248,400 |
| OTHER | | | (23,465,300) | (25,248,400) |
| TOTAL–ALL SOURCES | | | 2,853,929,300 | 2,897,697,500 |

**20.292 Technical college system, board of**

(1) TECHNICAL COLLEGE SYSTEM

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 3,067,400 | 3,067,500 |
| (am) | Fee remissions | GPR | A | 15,000 | 15,000 |
| (b) | Displaced homemakers' program | GPR | A | 851,700 | 851,700 |
| (bm) | Workplace literacy resource center | GPR | A | –0– | –0– |
| (c) | Minority student participation and retention grants | GPR | A | 617,000 | 617,000 |
| (ce) | Basic skills grants | GPR | A | –0– | –0– |
| (cw) | LaCrosse health science center | GPR | A | 196,900 | 393,700 |
| (d) | State aid for technical colleges; statewide guide | GPR | A | 114,630,000 | 115,730,000 |
| (dc) | Incentive grants | GPR | C | 7,691,200 | 7,494,400 |
| (dd) | Farm training program tuition grants | GPR | A | 150,000 | 150,000 |
| (de) | Services for handicapped students; local assistance | GPR | A | 400,000 | 400,000 |
| (dm) | Aid for special collegiate transfer programs | GPR | A | 1,124,300 | 1,124,300 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (e) | Technical college instructor occupational competency program | GPR | A | 71,300 | 71,300 |
| (eg) | Faculty development grants | GPR | A | 832,000 | 832,000 |
| (em) | Apprenticeship curriculum development | GPR | A | 75,000 | 75,000 |
| (f) | Alcohol and other drug abuse prevention and intervention | GPR | A | 525,000 | 525,000 |
| (fc) | Driver education, local assistance | GPR | A | 322,000 | 322,000 |
| (fg) | Chauffeur training grants | GPR | C | 200,000 | 200,000 |
| (fm) | Supplemental aid | GPR | A | 1,500,000 | 1,500,000 |
| (fp) | Emergency medical technician – basic training; state operations | GPR | A | 193,500 | 193,500 |
| (g) | Text materials | PR | A | 123,000 | 123,000 |
| (gm) | Fire schools; state operations | PR | A | 279,200 | 279,200 |
| (gr) | Fire schools; local assistance | PR | A | 500,000 | 500,000 |
| (gt) | Telecommunications retraining | PR | C | 300,000 | 300,000 |
| (h) | Gifts and grants | PR | C | 20,600 | 20,600 |
| (i) | Conferences | PR | C | 85,900 | 85,900 |
| (j) | Personnel certification | PR | A | 214,000 | 214,000 |
| (k) | Gifts and grants | PR | C | 30,200 | 30,200 |
| (ka) | Interagency projects; local assistance | PR–S | A | 3,414,700 | 3,414,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (kb) | Interagency projects; state operations | PR–S | A | 742,700 | 742,700 |
| (L) | Services for district boards | PR | A | 150,600 | 150,600 |
| (m) | Federal aid, state operations | PR–F | C | 2,885,500 | 2,886,900 |
| (n) | Federal aid, local assistance | PR–F | C | 26,374,300 | 26,374,300 |
| (o) | Federal aid, aids to individuals and organizations | PR–F | C | 400,000 | 400,000 |
| (pz) | Indirect cost reimbursements | PR–F | C | 166,000 | 166,000 |

20.292 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 132,462,300 | 133,562,400 |
| PROGRAM REVENUE | 35,686,700 | 35,688,100 |
| FEDERAL | (29,825,800) | (29,827,200) |
| OTHER | (1,703,500) | (1,703,500) |
| SERVICE | (4,157,400) | (4,157,400) |
| TOTAL–ALL SOURCES | 168,149,000 | 169,250,500 |

Education
FUNCTIONAL AREA TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 5,420,828,600 | 5,639,168,300 |
| PROGRAM REVENUE | 2,359,451,900 | 2,403,636,500 |
| FEDERAL | (1,021,199,200) | (1,019,397,100) |
| OTHER | (1,285,409,700) | (1,325,851,200) |
| SERVICE | (52,843,000) | (58,388,200) |
| SEGREGATED FUNDS | 62,123,300 | 59,540,100 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (62,123,300) | (59,540,100) |
| SERVICE | (–0–) | (–0–) |
| LOCAL | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 7,842,403,800 | 8,102,344,900 |

## Environmental Resources

**20.315 Boundary area commission, Minnesota–Wisconsin**

(1) BOUNDARY AREA COOPERATION

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (q) General program operations — conservation fund | SEG | A | 183,000 | 188,000 |
| 20.315 DEPARTMENT TOTALS | | | | |
| SEGREGATED FUNDS | | | 183,000 | 188,000 |
| OTHER | | | (183,000) | (188,000) |
| TOTAL–ALL SOURCES | | | 183,000 | 188,000 |

**20.320 Environmental improvement program**

(1) CLEAN WATER FUND PROGRAM OPERATIONS

| | | | | |
|---|---|---|---|---|
| (a) Environmental aids — clean water fund program | GPR | A | –0– | –0– |
| (c) Principal repayment and interest — clean water fund program | GPR | S | 27,137,500 | 31,081,100 |
| (r) Clean water fund program repayment of revenue obligations | SEG | S | –0– | –0– |
| (s) Clean water fund program financial assistance | SEG | S | –0– | –0– |
| (sm) Land recycling loan program financial assistance | SEG | S | –0– | –0– |
| (t) Principal repayment and interest — clean water fund program bonds | SEG | A | 4,000,000 | 4,000,000 |
| (u) Principal repay. & interest – clean water fd. prog. rev. obligation repay. | SEG | C | –0– | –0– |
| (x) Clean water fund program financial assistance; federal | SEG–F | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (y) Clean water fund program federal financial hardship assistance | SEG–F | C | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 27,137,500 | 31,081,100 |
| SEGREGATED FUNDS | | | 4,000,000 | 4,000,000 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (4,000,000) | (4,000,000) |
| TOTAL–ALL SOURCES | | | 31,137,500 | 35,081,100 |
| (2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS | | | | |
| (c) Principal repayment and interest — safe drinking water loan program | GPR | S | 864,600 | 918,200 |
| (s) Safe drinking water loan programs financial assistance | SEG | S | –0– | –0– |
| (x) Safe drinking water loan programs financial assistance; federal | SEG–F | C | –0– | –0– |
| (2) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 864,600 | 918,200 |
| SEGREGATED FUNDS | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 864,600 | 918,200 |
| (3) PRIVATE SEWAGE SYSTEM PROGRAM | | | | |
| (q) Private sewage system loans | SEG | C | 1,500,000 | –0– |
| (3) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 1,500,000 | –0– |
| OTHER | | | (1,500,000) | (–0–) |
| TOTAL–ALL SOURCES | | | 1,500,000 | –0– |
| 20.320 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 28,002,100 | 31,999,300 |
| SEGREGATED FUNDS | | | 5,500,000 | 4,000,000 |
| FEDERAL | | | (–0–) | (–0–) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (5,500,000) | (4,000,000) |
| TOTAL–ALL SOURCES | | | 33,502,100 | 35,999,300 |

**20.360 Lower Wisconsin state riverway board**

(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY

| | | | | | |
|---|---|---|---|---|---|
| (g) | Gifts and grants | PR | C | –0– | –0– |
| (q) | General program operations — conservation fund | SEG | A | 125,600 | 125,600 |

20.360 DEPARTMENT TOTALS

| | | |
|---|---|---|
| PROGRAM REVENUE | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| SEGREGATED FUNDS | 125,600 | 125,600 |
| OTHER | (125,600) | (125,600) |
| TOTAL–ALL SOURCES | 125,600 | 125,600 |

**20.370 Natural resources, department of**

(1) LAND

| | | | | | |
|---|---|---|---|---|---|
| (cq) | Forestry — reforestation | SEG | C | 100,000 | 100,000 |
| (cr) | Forestry — recording fees | SEG | C | 50,000 | 50,000 |
| (cs) | Forestry — forest fire emergencies | SEG | C | –0– | –0– |
| (ct) | Timber sales contracts – repair and reimbursement costs | SEG | C | –0– | –0– |
| (ea) | Parks — general program operations | GPR | A | 4,990,500 | 4,990,500 |
| (eq) | Parks and forests – operation and maintenance | SEG | S | –0– | –0– |
| (er) | Parks and forests – recycling activities | SEG | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (fb) | Endangered resources — general program operations | GPR | A | –0– | –0– |
| (fc) | Endangered resources — Wisconsin stewardship program | GPR | A | –0– | –0– |
| (fd) | Endangered resources — natural heritage inventory program | GPR | A | 233,700 | 233,700 |
| (fe) | Endangered resources — general fund | GPR | S | 500,000 | 500,000 |
| (fs) | Endangered resources — voluntary payments; sales, leases and fees | SEG | C | 1,070,000 | 1,066,000 |
| (ft) | Endangered resources — application fees | SEG | C | –0– | –0– |
| (gr) | Endangered resources program — gifts and grants | SEG | C | –0– | –0– |
| (hk) | Elk management | PR–S | A | 50,000 | 200,000 |
| (hr) | Pheasant restoration | SEG | C | 469,400 | 469,400 |
| (ht) | Wild turkey restoration | SEG | C | 212,200 | 212,200 |
| (hu) | Wetlands habitat improvement | SEG | C | 338,400 | 338,400 |
| (it) | Atlas revenues | SEG | C | –0– | –0– |
| (iu) | Gravel pit reclamation | SEG | C | –0– | –0– |
| (jr) | Rental property and equipment — maintenance and replacement | SEG | C | –0– | –0– |
| (kq) | Taxes and assessments — conservation fund | SEG | A | 300,000 | 300,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (Lk) | Wild crane management | PR–S | A | 130,300 | 147,000 |
| (Lq) | Trapper education program | SEG | C | 29,100 | 29,100 |
| (Lr) | Beaver control; fish and wildlife account | SEG | C | 36,600 | 36,600 |
| (Ls) | Control of wild animals | SEG | C | 170,400 | 170,400 |
| (Lt) | Wildlife management | SEG | A | 435,400 | 435,400 |
| (ma) | General program operations — state funds | GPR | A | 519,600 | 519,600 |
| (mg) | General program operations — endangered resources | PR | C | –0– | –0– |
| (mi) | General program operations — private and public sources | PR | C | 443,800 | 443,800 |
| (mk) | General program operations — service funds | PR–S | C | 504,000 | 429,000 |
| (mq) | General program operations — state snowmobile trails and areas | SEG | A | 84,400 | 84,400 |
| (ms) | General program operations — state all–terrain vehicle projects | SEG | A | 60,000 | 60,000 |
| (mt) | Land preservation and management – endowment fund | SEG | S | –0– | –0– |
| (mu) | General program operations — state funds | SEG | A | –0– | –0– |
| | Land program management | SEG | A | 4,225,100 | 4,254,000 |
| | Wildlife management | SEG | A | 7,875,400 | 7,911,400 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| | Forestry | SEG | A | 29,276,400 | 28,904,000 |
| | Southern forests | SEG | A | 3,999,300 | 3,974,000 |
| | Parks and recreation | SEG | A | 7,642,800 | 7,699,300 |
| | Facilities and lands | SEG | A | 4,877,800 | 4,802,800 |
| | NET APPROPRIATION | | | 57,896,800 | 57,545,500 |
| (my) | General program operations — federal funds | SEG–F | C | –0– | –0– |
| | Wildlife management | SEG–F | C | 3,494,100 | 3,494,100 |
| | Forestry | SEG–F | C | 372,400 | 372,400 |
| | Southern forests | SEG–F | C | 123,700 | 123,700 |
| | Parks and recreation | SEG–F | C | 581,100 | 581,100 |
| | Endangered resources | SEG–F | C | 496,500 | 496,500 |
| | Facilities and lands | SEG–F | C | 1,672,200 | 1,672,200 |
| | NET APPROPRIATION | | | 6,740,000 | 6,740,000 |
| (mz) | Forest fire emergencies — federal funds | SEG–F | C | –0– | –0– |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 6,243,800 | 6,243,800 |
| PROGRAM REVENUE | 1,128,100 | 1,219,800 |
| OTHER | (443,800) | (443,800) |
| SERVICE | (684,300) | (776,000) |
| SEGREGATED FUNDS | 67,992,700 | 67,637,400 |
| FEDERAL | (6,740,000) | (6,740,000) |
| OTHER | (61,252,700) | (60,897,400) |
| TOTAL–ALL SOURCES | 75,364,600 | 75,101,000 |

(2) AIR AND WASTE

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (bg) | Air management — stationary sources | PR | A | 8,416,800 | 8,385,000 |
| (bi) | Air management — asbestos management | PR | C | 327,400 | 289,400 |
| (bq) | Air management — vapor recovery administration | SEG | A | 67,300 | 67,300 |
| (br) | Air management — mobile sources | SEG | A | 1,287,000 | 1,287,000 |
| (cf) | Air management – motor veh. emission inspection & maint. prog., state funds | GPR | A | 64,300 | 64,300 |
| (cg) | Air management — recovery of ozone–depleting refrigerants | PR | A | 125,800 | 125,800 |
| (ch) | Air management — emission analysis | PR | C | –0– | –0– |
| (ci) | Air management — permit review and enforcement | PR | A | 1,245,900 | 1,245,900 |
| (cL) | Air management – air waste management–incinerator operator certification | PR | C | –0– | –0– |
| (da) | Waste tire removal and recovery programs; program activities | GPR | S | –0– | –0– |
| (dg) | Solid waste management — solid and hazardous waste disposal administration | PR | C | 2,103,000 | 2,103,000 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (dh) | Solid waste management–remediated property | PR | C | 969,600 | 1,019,100 |
| (di) | Solid waste management — operator certification | PR | C | –0– | –0– |
| (dq) | Solid waste management — waste management fund | SEG | C | –0– | –0– |
| (dt) | Solid waste management — closure and long–term care | SEG | C | –0– | –0– |
| (dv) | Solid waste management — environmental repair; spills; abandoned containers | SEG | C | 3,321,300 | 3,321,300 |
| (dw) | Solid waste management — environmental repair; petroleum spills; admin. | SEG | A | 237,600 | 237,600 |
| (dy) | Solid waste mgt. — corrective action; proofs of financial responsibility | SEG | C | –0– | –0– |
| (dz) | Solid waste management – assessments and legal action | SEG | C | –0– | –0– |
| (eg) | Solid waste facility siting board fee | PR | C | –0– | –0– |
| (eh) | Solid waste management — source reduction review | PR | C | –0– | –0– |
| (eq) | Solid waste management – dry cleaner environmental response | SEG | A | 103,600 | 103,600 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (gh) Mining — mining regulation and administration | PR | A | 60,900 | 60,900 |
| (gr) Solid waste management — mining programs | SEG | C | –0– | –0– |
| (hq) Recycling; administration | SEG | A | 876,600 | 376,600 |
| (ma) General program operations — state funds | GPR | A | 2,939,100 | 2,938,800 |
| (mi) General program operations — private and public sources | PR | C | –0– | –0– |
| (mk) General program operations — service funds | PR–S | C | 100,000 | 100,000 |
| (mm) General program operations — federal funds | PR–F | C | 5,950,600 | 5,950,600 |
| (mq) General program operations – environmental fund | SEG | A | 4,323,000 | 4,302,400 |
| (mu) Petroleum inspection fd. suppl. to env. fd.; env. repair and well comp. | SEG | A | 1,149,400 | 1,049,400 |
| (my) General program operations — environmental fund; federal funds | SEG–F | C | 1,328,100 | 1,328,100 |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 3,003,400 | 3,003,100 |
| PROGRAM REVENUE | 19,300,000 | 19,279,700 |
| FEDERAL | (5,950,600) | (5,950,600) |
| OTHER | (13,249,400) | (13,229,100) |
| SERVICE | (100,000) | (100,000) |
| SEGREGATED FUNDS | 12,693,900 | 12,073,300 |
| FEDERAL | (1,328,100) | (1,328,100) |
| OTHER | (11,365,800) | (10,745,200) |
| TOTAL–ALL SOURCES | 34,997,300 | 34,356,100 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (3) | ENFORCEMENT AND SCIENCE | | | | |
| (ad) | Law enforcement – car killed deer; general fund | GPR | A | 286,000 | 314,600 |
| (ak) | Law enforcement – snowmobile enforcement and safety training; service funds | PR–S | A | 750,000 | 750,000 |
| (aq) | Law enforcement — snowmobile enforcement and safety training | SEG | A | 1,500 | 63,800 |
| (ar) | Law enforcement — boat enforcement and safety training | SEG | A | 1,977,700 | 1,951,400 |
| (as) | Law enforcement — all–terrain vehicle enforcement | SEG | A | 183,600 | 183,600 |
| (at) | Education and safety programs | SEG | C | 226,000 | 226,000 |
| (au) | Natural resources law violation hotline | SEG | C | –0– | –0– |
| (aw) | Law enforcement — car kill deer | SEG | A | 286,000 | 314,600 |
| (bg) | Enforcement — stationary sources | PR | A | 69,900 | 69,900 |
| (dg) | Environmental impact — consultant services; printing and postage costs | PR | C | –0– | –0– |
| (dh) | Environmental impact — power projects | PR | C | 181,000 | 181,000 |
| (di) | Environmental consulting costs — federal power projects | PR | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (fj) | Environmental quality – lab. certification | PR | A | 539,100 | 539,100 |
| (is) | Lake research; voluntary contributions | SEG | C | 34,000 | 34,000 |
| (ma) | General program operations — state funds | GPR | A | 5,038,200 | 5,032,200 |
| (mi) | General program operations — private and public sources | PR | C | 386,900 | 386,900 |
| (mk) | General program operations — service funds | PR–S | C | 486,200 | 486,200 |
| (mm) | General program operations — federal funds | PR–F | C | 439,900 | 439,900 |
| (mq) | General program operations — environmental fund | SEG | A | 1,091,000 | 1,102,500 |
| (mr) | Recycling; enforcement and research | SEG | A | 101,300 | 101,300 |
| (ms) | General program operations – pollution prevention | SEG | A | 55,600 | 55,600 |
| (mt) | General program operations, nonpoint source — environmental fund | SEG | A | 356,900 | 356,900 |
| (mu) | General program operations — state funds | SEG | A | 14,446,500 | 14,488,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (mv) | Aquatic and terrestrial resources inventory | SEG | A | 99,800 | 129,800 |
| (my) | General program operations — federal funds | SEG–F | C | 5,261,200 | 5,261,200 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 5,324,200 | 5,346,800 |
| PROGRAM REVENUE | 2,853,000 | 2,853,000 |
| FEDERAL | (439,900) | (439,900) |
| OTHER | (1,176,900) | (1,176,900) |
| SERVICE | (1,236,200) | (1,236,200) |
| SEGREGATED FUNDS | 24,121,100 | 24,269,400 |
| FEDERAL | (5,261,200) | (5,261,200) |
| OTHER | (18,859,900) | (19,008,200) |
| TOTAL–ALL SOURCES | 32,298,300 | 32,469,200 |

(4) WATER

| | | | | | |
|---|---|---|---|---|---|
| (af) | Water resources – remedial action | GPR | C | 150,000 | 150,000 |
| (ag) | Water resources – pollution credits | PR | C | –0– | –0– |
| (ah) | Water resources – Great Lakes protection fund | PR | C | 229,000 | 229,000 |
| (aq) | Water resources management – lake and river management | SEG | A | 1,969,500 | 2,006,500 |
| (ar) | Water resources – groundwater management | SEG | B | 125,000 | 125,000 |
| (as) | Water resources – trading water pollution credits | SEG | C | 50,000 | 50,000 |
| (at) | Watershed – nonpoint source contracts | SEG | B | 1,079,300 | 1,079,300 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (au) | Cooperative remedial action; contributions | SEG | C | –0– | –0– |
| (av) | Cooperative remedial action; interest on contributions | SEG | S | –0– | –0– |
| (bg) | Water regulation and zoning – computer access fees | PR | C | –0– | 50,000 |
| (bh) | Water regulation and zoning – dam inspect. and safety administ.; gen. fund | PR | A | –0– | –0– |
| (bi) | Water regulation and zoning – fees | PR | C | 452,500 | 463,600 |
| (bj) | Storm water management – fees | PR | A | 406,900 | 404,100 |
| (bL) | Wastewater management – fees | PR | C | 221,500 | 221,500 |
| (br) | Water reg. & zoning — dam safety & wetland mapping; conservation fund | SEG | A | 501,000 | 501,000 |
| (kk) | Fishery resources for ceded territories | PR–S | A | 109,700 | 109,700 |
| (ku) | Great Lakes trout and salmon | SEG | C | 1,099,900 | 1,099,900 |
| (kv) | Trout habitat improvement | SEG | C | 1,088,100 | 1,088,100 |
| (ma) | General program operations – state funds | GPR | A | –0– | –0– |
| | Watershed management | GPR | A | 9,109,300 | 9,130,400 |
| | Fisheries management and habitat protection | GPR | A | 3,252,300 | 3,252,300 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| | Drinking water and groundwater | GPR | A | 3,518,200 | 3,518,200 |
| | Water integration team | GPR | A | 398,400 | 398,400 |
| | Water program management | GPR | A | 2,890,500 | 2,831,800 |
| | NET APPROPRIATION | | | 19,168,700 | 19,131,100 |
| (mi) | General program operations – private and public sources | PR | C | 48,500 | 48,500 |
| (mk) | General program operations — service funds | PR–S | C | 364,400 | 364,400 |
| (mm) | General program operations – federal funds | PR–F | C | –0– | –0– |
| | Watershed management | PR–F | C | 3,922,400 | 3,742,100 |
| | Fisheries management and habitat protection | PR–F | C | 495,600 | 495,600 |
| | Drinking water and groundwater | PR–F | C | 3,415,500 | 3,415,500 |
| | Water integration team | PR–F | C | –0– | –0– |
| | Water program management | PR–F | C | –0– | –0– |
| | NET APPROPRIATION | | | 7,833,500 | 7,653,200 |
| (mq) | General program operations – environmental fund | SEG | A | –0– | –0– |
| | Watershed management | SEG | A | 713,800 | 699,500 |
| | Drinking water and groundwater | SEG | A | 1,520,700 | 1,520,700 |
| | Water integration team | SEG | A | 85,400 | 85,400 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| | Water program management | SEG | A | 66,100 | 66,100 |
| | NET APPROPRIATION | | | 2,386,000 | 2,371,700 |
| (mr) | General program operations – nonpoint source | SEG | A | 575,500 | 598,400 |
| (mt) | General program operations–environmental improvement programs; state funds | SEG | A | 491,100 | 491,100 |
| (mu) | General program operations – state funds | SEG | A | 13,170,600 | 13,181,300 |
| (mw) | Petroleum inspection fund supplement to env. fund; groundwater management | SEG | A | 766,900 | 766,900 |
| (mx) | General program operations – clean water fund program; federal funds | SEG–F | C | 554,400 | 554,400 |
| (my) | General program operations – environmental fund – federal funds | SEG–F | C | –0– | –0– |
| (mz) | General program operations – federal funds | SEG–F | C | 3,308,200 | 3,308,200 |
| (nz) | General program operations–safe drinking water loan programs; federal funds | SEG–F | C | 63,700 | 63,700 |

(4) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 19,318,700 | 19,281,100 |
| PROGRAM REVENUE | 9,666,000 | 9,544,000 |
| FEDERAL | (7,833,500) | (7,653,200) |
| OTHER | (1,358,400) | (1,416,700) |
| SERVICE | (474,100) | (474,100) |
| SEGREGATED FUNDS | 27,229,200 | 27,285,500 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| FEDERAL | | | (3,926,300) | (3,926,300) |
| OTHER | | | (23,302,900) | (23,359,200) |
| TOTAL–ALL SOURCES | | | 56,213,900 | 56,110,600 |
| (5) CONSERVATION AIDS | | | | |
| (ac) Resource aids – Milwaukee public museum | GPR | A | –0– | –0– |
| (aq) Resource aids – Canadian agencies migratory waterfowl aids | SEG | C | 169,200 | 169,200 |
| (ar) Resource aids – county conservation aids | SEG | C | 150,000 | 150,000 |
| (as) Recreation aids – fish, wildlife, and forestry recreation aids | SEG | C | 234,200 | 234,500 |
| (at) Ice age trail area grants | SEG | A | 75,000 | 75,000 |
| (av) Resource aids – private forest grants | SEG | B | 1,000,000 | 1,000,000 |
| (aw) Resource aids – nonprofit conservation organizations | SEG | C | 75,000 | 75,000 |
| (ay) Resource aids – urban land conservation | SEG | A | 75,000 | 75,000 |
| (bq) Resource aids – county forest loans; severance share payments | SEG | C | –0– | –0– |
| (br) Resource aids – forest croplands and managed forest land aids | SEG | A | 1,250,000 | 1,250,000 |
| (bs) Resource aids – county forest loans | SEG | A | 622,400 | 622,400 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (bt) | Resource aids – county forest project loans | SEG | C | 400,000 | 400,000 |
| (bu) | Resource aids – county forest project loans; severance share payments | SEG | C | –0– | –0– |
| (bv) | Res. aids – county forests, forest croplands and managed forest land aids | SEG | S | 1,248,400 | 1,248,400 |
| (bw) | Resource aids – urban forestry and county forest administrator grants | SEG | A | 1,164,900 | 1,204,900 |
| (bx) | Resource aids – national forest income aids | PR–F | C | 782,200 | 782,200 |
| (by) | Resource aids — fire suppression grants | SEG | A | 198,000 | 198,000 |
| (cb) | Recreation aids – snowmobile trail and area aids; general fund | GPR | A | 125,000 | 125,000 |
| (cq) | Recreation aids – recreational boating and other projects | SEG | C | 4,547,000 | 4,547,000 |
| (cr) | Recreation aids – county snowmobile trail and area aids | SEG | C | 2,313,900 | 2,501,400 |
| (cs) | Recreation aids – snowmobile trail areas | SEG | C | 3,676,500 | 3,846,800 |
| (ct) | Recreation aids – all–terrain vehicle project aids; gas tax payment | SEG | C | 635,000 | 720,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (cu) | Recreation aids — all–terrain vehicle project aids | SEG | C | 450,300 | 450,300 |
| (cv) | Recreation aids — motorcycle recreation aids; trails | SEG | A | 100,000 | 100,000 |
| (cy) | Recreation and resource aids, federal funds | SEG–F | C | 510,900 | 510,900 |
| (da) | Aids in lieu of taxes | GPR | S | 2,100,000 | 2,100,000 |
| (dq) | Aids in lieu of taxes | SEG | S | 871,600 | 871,600 |
| (dx) | Resource aids — payment in lieu of taxes; federal | PR–F | C | 440,000 | 440,000 |
| (ea) | Enforcement aids — spearfishing enforcement | GPR | C | –0– | –0– |
| (eq) | Enforcement aids — boating enforcement | SEG | A | 850,000 | 850,000 |
| (er) | Enforcement aids — all–terrain vehicle enforcement | SEG | A | 50,000 | 50,000 |
| (es) | Enforcement aids — snowmobiling enforcement | SEG | A | 200,000 | 200,000 |
| (et) | Enforcement aids — boating | SEG | A | 250,000 | 250,000 |
| (ex) | Enforcement aids — federal funds | SEG–F | C | –0– | –0– |
| (fq) | Wildlife damage claims and abatement | SEG | C | 2,187,700 | 2,187,700 |
| (fr) | Wildlife abatement and control grants | SEG | B | 25,000 | 25,000 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (5) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,225,000 | 2,225,000 |
| PROGRAM REVENUE | | | 1,222,200 | 1,222,200 |
| FEDERAL | | | (1,222,200) | (1,222,200) |
| SEGREGATED FUNDS | | | 23,330,000 | 23,813,600 |
| FEDERAL | | | (510,900) | (510,900) |
| OTHER | | | (22,819,100) | (23,302,700) |
| TOTAL–ALL SOURCES | | | 26,777,200 | 27,260,800 |
| (6) ENVIRONMENTAL AIDS | | | | |
| (aa) Environmental aids – non–point source | GPR | B | 4,383,600 | 4,383,600 |
| (ag) Environmental aids – nonpoint repayments | PR | C | –0– | –0– |
| (aq) Environmental aids — non–point source program | SEG | B | 2,711,300 | 2,711,300 |
| (ar) Environmental aids – lake protection | SEG | C | 2,875,400 | 2,675,400 |
| (au) Environmental aids – river protection; environmental fund | SEG | A | 150,000 | 150,000 |
| (av) Environmental aids – river protection; conservation fund | SEG | A | 150,000 | 150,000 |
| (aw) Environmental aids – river protection; nonprofit organization contracts | SEG | C | 75,000 | 75,000 |
| (ba) Environmental aids — dump closure cost share | GPR | C | 1,247,700 | 1,247,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (bj) | Environmental aids — waste reduction and recycling grants and gifts | PR | C | –0– | –0– |
| (bq) | Environmental aids – municipal and county recycling grants | SEG | S | 20,000,000 | 15,000,000 |
| (br) | Environmental aids – waste reduction and recycling demonstration grants | SEG | C | 1,000,000 | 500,000 |
| (bs) | Environmental aids – household hazardous waste | SEG | A | 150,000 | 150,000 |
| (ca) | Environmental aids – scenic urban waterways | GPR | C | –0– | –0– |
| (ck) | Environmental aids – drinking water study | PR–S | A | 100,000 | 300,000 |
| (cm) | Environmental aids – federal funds | PR–F | C | 75,000 | 75,000 |
| (cr) | Environmental aids – compensation for well contamination | SEG | C | 400,000 | 400,000 |
| (da) | Environmental planning aids – local water quality planning | GPR | A | 283,400 | 283,400 |
| (dk) | Environmental aids – Oneida nation; Indian gaming | PR–S | A | 120,000 | 120,000 |
| (dm) | Environmental planning aids – federal funds | PR–F | C | 260,600 | 260,600 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (dq) Environmental aids – urban nonpoint source | SEG | A | 2,000,000 | 2,000,000 |
| (dr) Environmental aids – municipal flood control and riparian restoration | SEG | A | 1,000,000 | 1,000,000 |
| (eq) Environmental aids – dry cleaner environmental response | SEG | B | 2,450,000 | 1,050,000 |
| (er) Environmental aids – sustainable urban development zones | SEG | B | 2,250,000 | –0– |
| (et) Environmental aids – brownfield site assessment | SEG | B | 1,450,000 | –0– |

(6) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 5,914,700 | 5,914,700 |
| PROGRAM REVENUE | 555,600 | 755,600 |
| FEDERAL | (335,600) | (335,600) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (220,000) | (420,000) |
| SEGREGATED FUNDS | 36,661,700 | 25,861,700 |
| OTHER | (36,661,700) | (25,861,700) |
| TOTAL–ALL SOURCES | 43,132,000 | 32,532,000 |

(7) DEBT SERVICE AND DEVELOPMENT

| | | | | |
|---|---|---|---|---|
| (aa) Resource acquisition and development – principal repayment and interest | GPR | S | 19,297,900 | 21,489,000 |
| (ac) Principal repayment and interest – recreational boating bonds | GPR | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (aq) | Resource acquisition and development – principal repayment and interest | SEG | S | 238,700 | 247,900 |
| (ar) | Dam repair and removal – principal repayment and interest | SEG | S | 245,600 | 457,900 |
| (at) | Recreation development – principal repayment and interest | SEG | S | –0– | –0– |
| (au) | State forest acquisition and development — principal repayment and interest | SEG | A | 2,000,000 | 2,000,000 |
| (ba) | Debt service – remedial action | GPR | S | 1,623,600 | 2,452,500 |
| (ca) | Principal repayment and interest – nonpoint source grants | GPR | S | 2,340,200 | 2,643,200 |
| (cb) | Principal repayment and interest – pollution abatement bonds | GPR | S | 71,590,000 | 69,540,700 |
| (cc) | Principal repay. and int. – combined sewer overflow; pollution abat. bonds | GPR | S | 17,271,500 | 16,998,300 |
| (cd) | Principal repayment and interest – municipal clean drinking water grants | GPR | S | 848,100 | 846,900 |
| (ce) | Principal repayment and interest – nonpoint source compliance | GPR | S | 54,200 | 168,900 |
| (cf) | Principal repayment and interest – urban nonpoint source cost–sharing | GPR | S | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (da) | Prin repaymt and int – municipal flood control and riparian rest cost–sharg | GPR | S | –0– | –0– |
| (ea) | Administrative facilities – principal repayment and interest | GPR | S | 520,400 | 568,700 |
| (eq) | Administrative facilities – principal repayment and interest | SEG | S | 1,280,100 | 1,500,200 |
| (er) | Administrative facilities – principal repayment & interest; env. fund | SEG | S | 11,100 | 11,500 |
| (fa) | Resource maintenance and development – state funds | GPR | C | 1,278,200 | 1,278,200 |
| (fk) | Resource acquisition and development – service funds; transportation moneys | PR–S | C | 1,000,000 | 1,000,000 |
| (fr) | Resource acq. and dev. – boating access to southeastern lakes | SEG | C | 100,000 | 100,000 |
| (fs) | Resource acquisition and development – state funds | SEG | C | 918,300 | 1,185,300 |
| (ft) | Resource acquisition and development – boating access | SEG | C | 200,000 | 200,000 |
| (fu) | Resource acquisition and development — nonmotorized boating improvements | SEG | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (fv) | Resource acquisition and development – fish and wildlife projects | SEG | C | 283,300 | 283,300 |
| (fw) | Resource acq. and dev. – Mississippi and St. Croix rivers management | SEG | C | 62,500 | 62,500 |
| (fy) | Resource acquisition and development — federal funds | SEG–F | C | 1,960,200 | 1,960,200 |
| (gg) | Ice Age trail – gifts and grants | PR | C | –0– | –0– |
| (gq) | State trails – gifts and grants | SEG | C | –0– | –0– |
| (ha) | Facilities acquisition, development and maintenance | GPR | C | 183,100 | 183,100 |
| (hq) | Facilities acquisition, development and maintenance – conservation fund | SEG | C | 376,800 | 376,800 |
| (jr) | Rental property and equipment – maintenance and replacement | SEG | C | –0– | –0– |
| (mc) | Resource maintenance and development – state park, forest & riverway roads | GPR | C | 1,900,000 | 1,900,000 |
| (mi) | General program operations – private and public sources | PR | C | –0– | –0– |

(7) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 116,907,200 | 118,069,500 |
| PROGRAM REVENUE | 1,000,000 | 1,000,000 |
| OTHER | (–0–) | (–0–) |
| SERVICE | (1,000,000) | (1,000,000) |
| SEGREGATED FUNDS | 7,676,600 | 8,385,600 |
| FEDERAL | (1,960,200) | (1,960,200) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (5,716,400) | (6,425,400) |
| TOTAL–ALL SOURCES | | | 125,583,800 | 127,455,100 |
| (8) ADMINISTRATION AND TECHNOLOGY | | | | |
| (ir) Promotional activities and publications | SEG | C | 83,000 | 83,000 |
| (iw) Statewide recycling administration | SEG | A | 192,200 | 192,200 |
| (ma) General program operations — state funds | GPR | A | 7,668,700 | 7,744,000 |
| (mg) General program operations — stationary sources | PR | A | 922,200 | 922,200 |
| (mi) General program operations — private and public sources | PR | C | –0– | –0– |
| (mk) General program operations — service funds | PR–S | C | 5,622,400 | 5,622,400 |
| (mq) General program operations — mobile sources | SEG | A | 427,400 | 427,400 |
| (mr) General program operations – environmental improvement fund | SEG | A | 250,700 | 250,700 |
| (mt) Equipment pool operations | SEG–S | C | –0– | –0– |
| (mu) General program operations — state funds | SEG | A | 15,923,100 | 15,854,300 |
| (mv) General program operations — environmental fund | SEG | A | 1,963,400 | 2,259,100 |
| (mz) Indirect cost reimbursements | SEG–F | C | 4,500,400 | 4,500,400 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (ni) Geographic information systems, general program operations – other funds | PR | C | –0– | –0– |
| (nk) Geographic information systems, general program operations — service fds. | PR–S | C | 1,109,000 | 1,109,000 |
| (zq) Gifts and donations | SEG | C | –0– | –0– |

(8) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 7,668,700 | 7,744,000 |
| PROGRAM REVENUE | 7,653,600 | 7,653,600 |
| OTHER | (922,200) | (922,200) |
| SERVICE | (6,731,400) | (6,731,400) |
| SEGREGATED FUNDS | 23,340,200 | 23,567,100 |
| FEDERAL | (4,500,400) | (4,500,400) |
| OTHER | (18,839,800) | (19,066,700) |
| SERVICE | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 38,662,500 | 38,964,700 |

(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS

| | | | | |
|---|---|---|---|---|
| (eg) Gifts and grants; environmental management systems | PR | C | –0– | –0– |
| (gb) Education programs – program fees | PR | B | 59,300 | 59,300 |
| (hk) Approval fees to Lac du Flambeau band–service funds | PR–S | A | 100,000 | 100,000 |
| (hs) Approval fees from Lac du Flambeau band | SEG | C | –0– | –0– |
| (ht) Approval fees to Lac du Flambeau band | SEG | S | –0– | –0– |
| (hu) Handling, issuing and approval list fees | SEG | C | 464,000 | 534,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (iq) | Natural resources magazine | SEG | C | 873,000 | 923,000 |
| (is) | Statewide recycling administration | SEG | A | 366,700 | 366,700 |
| (jL) | Fox river management; fees | PR | C | –0– | –0– |
| (ju) | Fox river management | SEG | B | 121,700 | 121,700 |
| (ma) | General program operations – state funds | GPR | A | 2,394,200 | 2,367,000 |
| (mh) | General programs operations – stationary sources | PR | A | 496,600 | 496,600 |
| (mi) | General program operations — private and public sources | PR | C | 40,000 | 40,000 |
| (mj) | General program operations — solid and hazardous waste | PR | A | 136,200 | 136,200 |
| (mk) | General program operations — service funds | PR–S | C | 100,200 | 100,200 |
| (mm) | General program operations – federal funds | PR–F | C | 251,100 | 236,900 |
| (mq) | General program operations – mobile sources | SEG | A | 158,900 | 158,900 |
| (ms) | General program operations — cooperative environmental assistance | SEG | A | 120,300 | 120,300 |
| (mt) | Aids administration — environmental improvement programs; state funds | SEG | A | 1,013,200 | 1,013,200 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (mu) General program operations – state funds | SEG | A | 10,882,600 | 10,808,300 |
| (mv) General program operations — environmental fund | SEG | A | 582,600 | 582,600 |
| (mw) Aids administration – snowmobile recreation | SEG | A | 145,700 | 140,700 |
| (mx) Aids administration – clean water fund program; federal funds | SEG–F | C | 981,100 | 981,100 |
| (my) General program operations – federal funds | SEG–F | C | 100,900 | 100,900 |
| (mz) Indirect cost reimbursements | SEG–F | C | 622,300 | 622,300 |
| (nq) Aids administration – dry cleaner environmental response | SEG | A | 47,200 | 47,200 |
| (ny) Aids administration – safe drinking water loan programs; federal funds | SEG–F | C | 99,600 | 99,600 |

(9) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 2,394,200 | 2,367,000 |
| PROGRAM REVENUE | 1,183,400 | 1,169,200 |
| FEDERAL | (251,100) | (236,900) |
| OTHER | (732,100) | (732,100) |
| SERVICE | (200,200) | (200,200) |
| SEGREGATED FUNDS | 16,579,800 | 16,620,500 |
| FEDERAL | (1,803,900) | (1,803,900) |
| OTHER | (14,775,900) | (14,816,600) |
| TOTAL–ALL SOURCES | 20,157,400 | 20,156,700 |

20.370 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 168,999,900 | 170,195,000 |
| PROGRAM REVENUE | 44,561,900 | 44,697,100 |
| FEDERAL | (16,032,900) | (15,838,400) |
| OTHER | (17,882,800) | (17,920,800) |
| SERVICE | (10,646,200) | (10,937,900) |
| SEGREGATED FUNDS | 239,625,200 | 229,514,100 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| FEDERAL | | | (26,031,000) | (26,031,000) |
| OTHER | | | (213,594,200) | (203,483,100) |
| SERVICE | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 453,187,000 | 444,406,200 |

**20.380 Tourism, department of**

(1) TOURISM DEVELOPMENT PROMOTION

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 3,926,900 | 3,926,900 |
| (b) | Tourism marketing; general purpose revenue | GPR | A | 8,491,000 | 8,491,000 |
| (bm) | Heritage tourism program | GPR | B | 135,400 | 135,400 |
| (g) | Gifts, grants and proceeds | PR | C | 6,200 | 6,200 |
| (h) | Tourism promotion; sale of surplus property | PR | C | –0– | –0– |
| (j) | Tourism promotion – private and public sources | PR | C | 100,000 | 100,000 |
| (k) | Sale of materials or services | PR–S | C | –0– | –0– |
| (ka) | Sales of materials or services–local assistance | PR–S | C | –0– | –0– |
| (kb) | Sales of materials or services–individuals and organizations | PR–S | C | –0– | –0– |
| (kc) | Marketing clearinghouse charges | PR–S | A | –0– | –0– |
| (kg) | Tourism marketing; gaming revenue | PR–S | C | 3,976,500 | 3,969,500 |
| (km) | Tourist information assistant | PR | A | 23,500 | 30,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (m) | Federal aid–state operations | PR–F | C | –0– | –0– |
| (n) | Federal aid–local assistance | PR–F | C | –0– | –0– |
| (o) | Federal aid–individuals and organizations | PR–F | C | –0– | –0– |
| (q) | Administrative services–conservation fund | SEG | A | 46,400 | 46,400 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 12,553,300 | 12,553,300 |
| | PROGRAM REVENUE | | | 4,106,200 | 4,106,200 |
| | FEDERAL | | | (–0–) | (–0–) |
| | OTHER | | | (129,700) | (136,700) |
| | SERVICE | | | (3,976,500) | (3,969,500) |
| | SEGREGATED FUNDS | | | 46,400 | 46,400 |
| | OTHER | | | (46,400) | (46,400) |
| | TOTAL–ALL SOURCES | | | 16,705,900 | 16,705,900 |
| (2) | KICKAPOO VALLEY RESERVE | | | | |
| (dq) | Kickapoo valley reserve; aids in lieu of taxes | GPR | S | –0– | –0– |
| (ip) | Kickapoo reserve management board; program services | PR | C | –0– | –0– |
| (ir) | Kickapoo reserve management board; gifts and grants | PR | C | –0– | –0– |
| (ms) | Kickapoo reserve management board; federal aid | PR–F | C | –0– | –0– |
| (q) | Kickapoo reserve management board; general program operations | SEG | A | 194,100 | 194,100 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | –0– | –0– |
| | PROGRAM REVENUE | | | –0– | –0– |
| | FEDERAL | | | (–0–) | (–0–) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | 194,100 | 194,100 |
| OTHER | | | (194,100) | (194,100) |
| TOTAL–ALL SOURCES | | | 194,100 | 194,100 |
| 20.380 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 12,553,300 | 12,553,300 |
| PROGRAM REVENUE | | | 4,106,200 | 4,106,200 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (129,700) | (136,700) |
| SERVICE | | | (3,976,500) | (3,969,500) |
| SEGREGATED FUNDS | | | 240,500 | 240,500 |
| OTHER | | | (240,500) | (240,500) |
| TOTAL–ALL SOURCES | | | 16,900,000 | 16,900,000 |

**20.395 Transportation, department of**

(1) AIDS

| | | | | |
|---|---|---|---|---|
| (ar) Corrections of transportation aid payments | SEG | S | –0– | –0– |
| (as) Transportation aids to counties, state funds | SEG | A | 81,106,700 | 83,886,400 |
| (at) Transportation aids to municipalities, state funds | SEG | A | 255,171,300 | 263,916,400 |
| (br) Milwaukee urban area rail transit system planning study, state funds | SEG | A | –0– | –0– |
| (bs) Demand management and ride–sharing grants, state funds | SEG | A | 336,000 | 336,000 |
| (bt) Urban rail transit system grants | SEG | C | –0– | –0– |
| (bv) Transit and demand management aids, local funds | SEG–L | C | 110,000 | 110,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (bx) | Transit and demand management aids, federal funds | SEG–F | C | 20,000,000 | 20,000,000 |
| (cq) | Elderly and disabled capital aids, state funds | SEG | C | 853,600 | 913,400 |
| (cr) | Elderly and disabled county aids, state funds | SEG | A | 6,890,400 | 7,372,700 |
| (cv) | Elderly and disabled aids, local funds | SEG–L | C | 588,500 | 603,400 |
| (cx) | Elderly and disabled aids, federal funds | SEG–F | C | 1,500,000 | 1,500,000 |
| (ex) | Highway safety, local assistance, federal funds | SEG–F | C | 1,700,000 | 1,700,000 |
| (fq) | Connecting highways aids, state funds | SEG | A | 12,851,900 | 12,851,900 |
| (fs) | Flood damage aids, state funds | SEG | S | 600,000 | 600,000 |
| (ft) | Lift bridge aids, state funds | SEG | B | 1,763,400 | 1,425,000 |
| (fu) | County forest road aids, state funds | SEG | A | 303,300 | 303,300 |
| (gq) | Expressway policing aids, state funds | SEG | A | 970,800 | 970,800 |
| (hq) | Tier A transit operating aids, state funds | SEG | A | 47,438,100 | –0– |
| (hr) | Tier B transit operating aids, state funds | SEG | A | 18,767,900 | 19,804,200 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (hs) Tier C transit operating aids, state funds | SEG | A | 5,069,300 | 5,349,100 |
| (ht) Tier A–1 transit operating aids, state funds | SEG | A | 13,388,900 | 53,555,600 |
| (hu) Tier A–2 transit operating aids, state funds | SEG | A | 3,574,400 | 14,297,600 |
| (1) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 472,984,500 | 489,495,800 |
| FEDERAL | | | (23,200,000) | (23,200,000) |
| OTHER | | | (449,086,000) | (465,582,400) |
| LOCAL | | | (698,500) | (713,400) |
| TOTAL–ALL SOURCES | | | 472,984,500 | 489,495,800 |
| (2) LOCAL TRANSPORTATION ASSISTANCE | | | | |
| (aq) Accelerated local bridge improvement assistance, state funds | SEG | C | 6,500,000 | –0– |
| (av) Accelerated local bridge improvement assistance, local funds | SEG–L | C | 2,500,000 | –0– |
| (ax) Accelerated local bridge improvement assistance, federal funds | SEG–F | C | 51,000,000 | –0– |
| (bq) Rail service assistance, state funds | SEG | C | 666,800 | 666,800 |
| (bu) Freight rail infrastructure improvements, state funds | SEG | C | 3,579,800 | 3,079,800 |
| (bv) Rail service assistance, local funds | SEG–L | C | 500,000 | 500,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (bw) | Freight rail assistance loan repayments, local funds | SEG–L | C | 2,000,000 | 2,500,000 |
| (bx) | Rail service assistance, federal funds | SEG–F | C | 50,000 | 50,000 |
| (cq) | Harbor assistance, state funds | SEG | C | 586,800 | 586,800 |
| (cr) | Rail passenger service, state funds | SEG | C | 371,200 | 408,400 |
| (ct) | Passenger railroad station improvement grants, state funds | SEG | B | 60,000 | –0– |
| (cu) | Passenger railroad station improvement grants, local funds | SEG–L | C | 120,000 | –0– |
| (cv) | Rail passenger service, local funds | SEG–L | C | –0– | –0– |
| (cx) | Rail passenger service; federal funds | SEG–F | C | 3,841,300 | 3,675,400 |
| (dq) | Aeronautics assistance, state funds | SEG | C | 11,832,200 | 11,832,200 |
| (ds) | Aviation career education, state funds | SEG | A | 95,300 | 138,300 |
| (dv) | Aeronautics assistance, local funds | SEG–L | C | 6,985,200 | 6,985,200 |
| (dx) | Aeronautics assistance, federal funds | SEG–F | C | 20,000,000 | 20,000,000 |
| (eq) | Highway and local bridge improvement assistance, state funds | SEG | C | 8,472,300 | 8,472,300 |
| (ev) | Local bridge improvement assistance, local funds | SEG–L | C | 8,780,400 | 8,780,400 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ex) | Local bridge improvement assistance, federal funds | SEG–F | C | 26,288,200 | 26,288,200 |
| (fr) | Local roads improvement program, state funds | SEG | C | 21,656,200 | 20,656,200 |
| (fv) | Local transportation facility improvement assistance, local funds | SEG–L | C | 36,428,200 | 33,928,200 |
| (fx) | Local transportation facility improvement assistance, federal funds | SEG–F | C | 77,379,700 | 71,379,700 |
| (gj) | Railroad crossing protection installation and maintenance, state funds | SEG | C | –0– | –0– |
| (gq) | Railroad crossing improvement and protection maintenance, state funds | SEG | A | 2,250,000 | 2,250,000 |
| (gr) | Railroad crossing improvement and protection installation, state funds | SEG | C | 450,000 | 450,000 |
| (gs) | Railroad crossing repair assistance, state funds | SEG | C | 250,000 | 250,000 |
| (gv) | Railroad crossing improvement, local funds | SEG–L | C | –0– | –0– |
| (gx) | Railroad crossing improvement, federal funds | SEG–F | C | 3,549,300 | 3,549,300 |
| (hq) | Multimodal transportation studies, state funds | SEG | C | 750,000 | 750,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (hx) | Multimodal transportation studies, federal funds | SEG–F | C | –0– | –0– |
| (iq) | Transportation facilities economic assistance and development, state funds | SEG | C | 3,500,000 | 3,500,000 |
| (iv) | Transportation facilities economic assistance and development, local funds | SEG–L | C | 3,500,000 | 3,500,000 |
| (iw) | Transportation facility improvement loans, local funds | SEG–L | C | –0– | –0– |
| (ix) | Transportation facilities economic assistance & development, federal funds | SEG–F | C | –0– | –0– |
| (jq) | Surface transportation grants, state funds | SEG | C | –0– | –0– |
| (jv) | Surface transportation grants, local funds | SEG–L | C | 680,000 | 680,000 |
| (jx) | Surface transportation grants, federal funds | SEG–F | C | 2,720,000 | 2,720,000 |
| (kv) | Congestion mitigation and air quality improvement, local funds | SEG–L | C | 3,124,700 | 3,124,700 |
| (kx) | Congestion mitigation and air quality improvement, federal funds | SEG–F | C | 12,498,500 | 12,498,500 |
| (nv) | Transportation enhancement activities, local funds | SEG–L | C | 1,562,000 | 1,562,000 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (nx) Transporation enhancement activities, federal funds | SEG–F | C | 6,248,000 | 6,248,000 |
| (ny) Milwaukee lakeshore walkway | SEG–F | B | 1,000,000 | 1,000,000 |
| (ph) Transportation infrastructure loans, gifts and grants | SEG | C | –0– | –0– |
| (pq) Transportation infrastructure loans, state funds | SEG | C | –0– | –0– |
| (pu) Transportation infrastructure loans, service funds | SEG–S | C | –0– | –0– |
| (pv) Transportation infrastructure loans, local funds | SEG–L | C | –0– | –0– |
| (px) Transportation infrastructure loans, federal funds | SEG–F | C | –0– | –0– |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| SEGREGATED FUNDS | 331,776,100 | 262,010,400 |
| FEDERAL | (204,575,000) | (147,409,100) |
| OTHER | (61,020,600) | (53,040,800) |
| SERVICE | (–0–) | (–0–) |
| LOCAL | (66,180,500) | (61,560,500) |
| TOTAL–ALL SOURCES | 331,776,100 | 262,010,400 |

(3) STATE HIGHWAY FACILITIES

| | | | | |
|---|---|---|---|---|
| (bq) Major highway development, state funds | SEG | C | 48,966,000 | 42,158,200 |
| (br) Major highway development, service funds | SEG–S | C | 113,210,300 | 119,907,200 |
| (bv) Major highway development, local funds | SEG–L | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (bx) Major highway development, federal funds | SEG–F | C | 57,328,100 | 57,948,500 |
| (cq) State highway rehabilitation, state funds | SEG | C | 250,684,000 | 247,536,200 |
| (cv) State highway rehabilitation, local funds | SEG–L | C | 2,000,000 | 2,000,000 |
| (cx) State highway rehabilitation, federal funds | SEG–F | C | 295,390,200 | 301,215,500 |
| (eq) Highway maintenance, repair and traffic operations, state funds | SEG | B | 154,228,300 | 154,738,300 |
| (ev) Highway maintenance, repair and traffic operations, local funds | SEG–L | C | 250,000 | 250,000 |
| (ex) Highway maintenance, repair and traffic operations, federal funds | SEG–F | C | 1,194,000 | 1,194,000 |
| (iq) Administration and planning, state funds | SEG | A | 19,486,000 | 19,431,000 |
| (ir) Disadvantaged business mobilization assistance, state funds | SEG | C | –0– | –0– |
| (iv) Administration and planning, local funds | SEG–L | C | –0– | –0– |
| (ix) Administration and planning, federal funds | SEG–F | C | 5,800,000 | 5,800,000 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| SEGREGATED FUNDS | 948,536,900 | 952,178,900 |
| FEDERAL | (359,712,300) | (366,158,000) |
| OTHER | (473,364,300) | (463,863,700) |
| SERVICE | (113,210,300) | (119,907,200) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| LOCAL | | | (2,250,000) | (2,250,000) |
| TOTAL–ALL SOURCES | | | 948,536,900 | 952,178,900 |
| (4) GENERAL TRANSPORTATION OPERATIONS | | | | |
| (aq) Departmental management and operations, state funds | SEG | A | 48,756,400 | 50,070,500 |
| (ar) Minor construction projects, state funds | SEG | C | –0– | –0– |
| (at) Capital building projects, service funds | SEG–S | C | 2,785,400 | 2,785,400 |
| (av) Departmental management and operations, local funds | SEG–L | C | 369,000 | 369,000 |
| (ax) Departmental management and operations, federal funds | SEG–F | C | 13,677,900 | 13,715,300 |
| (ch) Gifts and grants | SEG | C | –0– | –0– |
| (dq) Demand management | SEG | A | 280,300 | 280,300 |
| (eq) Data processing services, service funds | SEG–S | C | 15,109,600 | 15,109,600 |
| (er) Fleet operations, service funds | SEG–S | C | 11,985,200 | 12,185,200 |
| (es) Other department services, operations, service funds | SEG–S | C | 1,051,100 | 1,051,100 |
| (et) Equipment acquisition | SEG | A | –0– | –0– |
| (ew) Operating budget supplements, state funds | SEG | C | –0– | –0– |
| (4) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 94,014,900 | 95,566,400 |
| FEDERAL | | | (13,677,900) | (13,715,300) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (49,036,700) | (50,350,800) |
| SERVICE | | | (30,931,300) | (31,131,300) |
| LOCAL | | | (369,000) | (369,000) |
| TOTAL–ALL SOURCES | | | 94,014,900 | 95,566,400 |
| (5) MOTOR VEHICLE SERVICES AND ENFORCEMENT | | | | |
| (cg) Vehicle registration, telephone renewal transactions, state funds | PR | C | –0– | –0– |
| (ch) Repaired salvage vehicle examinations, state funds | PR | C | –0– | –0– |
| (ci) Breath screening instruments, state funds | PR | C | 290,900 | –0– |
| (cj) Vehicle registration, special group plates, state funds | PR | C | –0– | –0– |
| (cL) Licensing fees, state funds | PR | C | –0– | –0– |
| (cq) Veh. reg., insp. & maint., driver licensing & aircraft reg., state funds | SEG | A | 67,741,100 | 68,595,300 |
| (cx) Vehicle registration and driver licensing, federal funds | SEG–F | C | 200,000 | 200,000 |
| (dg) Escort, security and traffic enforcement services, state funds | PR | C | 79,200 | 79,200 |
| (dh) Traffic academy tuition payments, state funds | PR | C | 341,500 | 374,800 |
| (di) Chemical testing training and services, state funds | PR | A | 1,041,500 | 1,003,800 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (dk) Public safety radio management, service funds | PR–S | C | 202,200 | 202,200 |
| (dL) Public safety radio management, state funds | PR | C | 22,000 | 22,000 |
| (dq) Vehicle inspection, traffic enforcement and radio management, state funds | SEG | A | 42,926,900 | 44,019,200 |
| (dx) Vehicle inspection and traffic enforcement, federal funds | SEG–F | C | 2,194,800 | 2,159,800 |
| (hq) Motor veh. emission insp. and maint. program, contractor costs, state funds | SEG | A | 7,881,700 | 7,881,700 |
| (hx) Motor vehicle emission inspection and maintenance programs, federal funds | SEG–F | C | 2,528,000 | 2,854,800 |
| (iv) Municipal and county registration fee, local funds | SEG–L | C | –0– | –0– |
| (jr) Pretrial intoxicated driver intervention grants, state funds | SEG | A | 265,000 | 464,700 |

(5) PROGRAM TOTALS

| | | |
|---|---|---|
| PROGRAM REVENUE | 1,977,300 | 1,682,000 |
| OTHER | (1,775,100) | (1,479,800) |
| SERVICE | (202,200) | (202,200) |
| SEGREGATED FUNDS | 123,737,500 | 126,175,500 |
| FEDERAL | (4,922,800) | (5,214,600) |
| OTHER | (118,814,700) | (120,960,900) |
| LOCAL | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 125,714,800 | 127,857,500 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (6) DEBT SERVICES | | | | |
| (aq) Principal repayment and interest, transportation facilities, state funds | SEG | S | 6,110,100 | 6,015,900 |
| (ar) Principal repayment and interest, buildings, state funds | SEG | S | 510,100 | 327,600 |
| (6) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 6,620,200 | 6,343,500 |
| OTHER | | | (6,620,200) | (6,343,500) |
| TOTAL–ALL SOURCES | | | 6,620,200 | 6,343,500 |
| (9) GENERAL PROVISIONS | | | | |
| (qh) Highways, bridges and local transportation assistance clearing account | SEG | C | –0– | –0– |
| (qj) Hwys., bridges & local transp. assist. clearing acct., fed. funded pos. | SEG–F | C | –0– | –0– |
| (9) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| 20.395 DEPARTMENT TOTALS | | | | |
| PROGRAM REVENUE | | | 1,977,300 | 1,682,000 |
| OTHER | | | (1,775,100) | (1,479,800) |
| SERVICE | | | (202,200) | (202,200) |
| SEGREGATED FUNDS | | | 1,977,670,100 | 1,931,770,500 |
| FEDERAL | | | (606,088,000) | (555,697,000) |
| OTHER | | | (1,157,942,500) | (1,160,142,100) |
| SERVICE | | | (144,141,600) | (151,038,500) |
| LOCAL | | | (69,498,000) | (64,892,900) |
| TOTAL–ALL SOURCES | | | 1,979,647,400 | 1,933,452,500 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| FUNCTIONAL AREA TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 209,555,300 | 214,747,600 |
| PROGRAM REVENUE | | | 50,645,400 | 50,485,300 |
| FEDERAL | | | (16,032,900) | (15,838,400) |
| OTHER | | | (19,787,600) | (19,537,300) |
| SERVICE | | | (14,824,900) | (15,109,600) |
| SEGREGATED FUNDS | | | 2,223,344,400 | 2,165,838,700 |
| FEDERAL | | | (632,119,000) | (581,728,000) |
| OTHER | | | (1,377,585,800) | (1,368,179,300) |
| SERVICE | | | (144,141,600) | (151,038,500) |
| LOCAL | | | (69,498,000) | (64,892,900) |
| TOTAL–ALL SOURCES | | | 2,483,545,100 | 2,431,071,600 |

## Human Relations and Resources

**20.410 Corrections, department of**

(1) ADULT CORRECTIONAL SERVICES

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 288,666,200 | 304,335,200 |
| (aa) | Institutional repair and maintenance | GPR | A | 3,222,400 | 3,514,200 |
| (ab) | Corrections contracts and agreements | GPR | A | 85,122,100 | 85,224,100 |
| (b) | Services for community corrections | GPR | A | 111,341,900 | 124,599,400 |
| (bm) | Pharmacological treatment for certain child sex offenders | GPR | A | 676,800 | 676,800 |
| (bn) | Reimbursing counties for probation, extended supervision and parole holds | GPR | A | 4,019,800 | 4,019,800 |
| (c) | Reimbursement claims of counties containing state prisons | GPR | S | 261,900 | 261,900 |
| (cm) | Home detention program | GPR | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| 1 | (cw) | Mother–young child care program | GPR | A | 200,000 | 200,000 |
| 2 | (d) | Purchased services for offenders | GPR | A | 14,962,900 | 15,157,800 |
| 3 | (e) | Principal repayment and interest | GPR | S | 49,422,800 | 49,709,200 |
| 4 5 | (ec) | Prison industries principal, interest and rebates | GPR | S | –0– | –0– |
| 6 | (ed) | Correctional facilities rental | GPR | A | –0– | –0– |
| 7 | (ef) | Lease rental payments | GPR | S | –0– | –0– |
| 8 | (f) | Energy costs | GPR | A | 9,632,700 | 9,882,700 |
| 9 | (fm) | Offender release information | GPR | B | –0– | –0– |
| 10 11 | (g) | Loan fund for persons on probation, extended supervision or parole | PR | A | 6,000 | 6,000 |
| 12 | (gb) | Drug testing | PR | C | 38,900 | 38,900 |
| 13 | (gc) | Sex offender honesty testing | PR | C | –0– | –0– |
| 14 15 | (ge) | Administrative and minimum supervision | PR | A | 488,300 | 488,400 |
| 16 17 | (gf) | Probation, parole and extended supervision | PR | A | 4,165,000 | 4,165,000 |
| 18 19 | (gg) | Supervision of defendants and offenders | PR | A | –0– | –0– |
| 20 21 | (gh) | Supervision of persons on lifetime supervision | PR | A | –0– | –0– |
| 22 | (gi) | General operations | PR | A | 1,153,100 | 1,153,100 |
| 23 | (gm) | Sale of fuel and utility service | PR | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| 1 | (gr) | Home detention services | PR | A | 1,522,800 | 1,523,500 |
| 2 | (gt) | Telephone company commissions | PR | A | 1,053,700 | 832,700 |
| 3 | (h) | Administration of restitution | PR | A | 680,900 | 680,900 |
| 4 | (hm) | Private business employment of | | | | |
| 5 | | inmates and residents | PR | A | 693,000 | 693,000 |
| 6 | (i) | Gifts and grants | PR | C | 33,400 | 33,400 |
| 7 | (j) | State–owned housing maintenance | PR | A | –0– | –0– |
| 8 | (kc) | Correctional institution enterprises; | | | | |
| 9 | | inmate activities and employment | PR–S | C | 1,042,900 | 1,042,900 |
| 10 | (kf) | Correctional farms | PR–S | A | 3,260,200 | 3,374,200 |
| 11 | (kh) | Victim services and programs | PR–S | A | 104,100 | 171,400 |
| 12 | (kk) | Institutional operations and | | | | |
| 13 | | charges | PR–S | A | 12,795,000 | 12,795,700 |
| 14 | (km) | Prison industries | PR–S | A | 20,808,900 | 21,508,000 |
| 15 | (ko) | Prison industries principal | | | | |
| 16 | | repayment, interest and rebates | PR–S | S | 97,600 | 101,900 |
| 17 | (kp) | Correctional officer training | PR–S | A | 1,440,700 | 1,440,700 |
| 18 | (kx) | Interagency and intra–agency | | | | |
| 19 | | programs | PR–S | C | 2,767,400 | 3,358,900 |
| 20 | (ky) | Interagency and intra–agency aids | PR–S | C | 1,442,100 | 1,442,100 |
| 21 | (kz) | Interagency and intra–agency local | | | | |
| 22 | | assistance | PR–S | C | –0– | –0– |
| 23 | (m) | Federal project operations | PR–F | C | 2,473,100 | 2,473,100 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (n) | Federal program operations | PR–F | C | 86,800 | 86,800 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 567,529,500 | 597,581,100 |
| | PROGRAM REVENUE | | | 56,153,900 | 57,410,600 |
| | FEDERAL | | | (2,559,900) | (2,559,900) |
| | OTHER | | | (9,835,100) | (9,614,900) |
| | SERVICE | | | (43,758,900) | (45,235,800) |
| | TOTAL–ALL SOURCES | | | 623,683,400 | 654,991,700 |
| (2) | PAROLE COMMISSION | | | | |
| (a) | General program operations | GPR | A | 727,800 | 727,800 |
| (kx) | Interagency and intra–agency programs | PR–S | C | –0– | –0– |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 727,800 | 727,800 |
| | PROGRAM REVENUE | | | –0– | –0– |
| | SERVICE | | | (–0–) | (–0–) |
| | TOTAL–ALL SOURCES | | | 727,800 | 727,800 |
| (3) | JUVENILE CORRECTIONAL SERVICES | | | | |
| (a) | General program operations | GPR | A | 1,498,200 | 1,498,200 |
| (ba) | Mendota juvenile treatment center | GPR | A | 1,273,900 | 1,379,300 |
| (bb) | Juvenile boot camp program | GPR | A | 844,400 | 712,800 |
| (c) | Reimbursement claims of counties containing secured correctional facilities | GPR | A | 200,000 | 200,000 |
| (cd) | Community youth and family aids | GPR | A | 81,734,500 | 83,734,500 |
| (cg) | Serious juvenile offenders | GPR | B | 11,973,400 | 14,407,100 |
| (d) | Youth diversion | GPR | A | 380,000 | 380,000 |
| (e) | Principal repayment and interest | GPR | S | 4,361,400 | 4,131,600 |

| | STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| 1 | (f) | Community intervention program | GPR | A | 5,000,000 | 5,000,000 |
| 2 | (g) | Legal service collections | PR | C | –0– | –0– |
| 3 | (gg) | Collection remittances to local units | | | | |
| 4 | | of government | PR | C | –0– | –0– |
| 5 | (hm) | Juvenile correctional services | PR | A | 61,540,700 | 61,471,800 |
| 6 | (ho) | Juvenile residential aftercare | PR | A | 10,566,600 | 12,387,500 |
| 7 | (hr) | Juvenile corrective sanctions | | | | |
| 8 | | program | PR | A | 3,544,500 | 3,609,400 |
| 9 | (i) | Gifts and grants | PR | C | 5,300 | 5,300 |
| 10 | (j) | State–owned housing maintenance | PR | A | 35,000 | 35,000 |
| 11 | (jr) | Institutional operations and | | | | |
| 12 | | charges | PR | A | 208,600 | 208,600 |
| 13 | (jv) | Secure detention services | PR | C | –0– | –0– |
| 14 | (kj) | Youth diversion program | PR–S | A | 720,000 | 720,000 |
| 15 | (ko) | Interagency programs; community | | | | |
| 16 | | youth and family aids | PR–S | C | 2,449,200 | 2,449,200 |
| 17 | (kp) | Interagency programs; alcohol and | | | | |
| 18 | | other drug abuse | PR–S | C | 300,000 | 300,000 |
| 19 | (kx) | Interagency and intra–agency | | | | |
| 20 | | programs | PR–S | C | 1,251,200 | 1,251,200 |
| 21 | (ky) | Interagency and intra–agency aids | PR–S | C | –0– | –0– |
| 22 | (kz) | Interagency and intra–agency local | | | | |
| 23 | | assistance | PR–S | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (m) | Federal project operations | PR–F | C | –0– | –0– |
| (n) | Federal program operations | PR–F | C | 30,000 | 30,000 |
| (o) | Federal aid; foster care and treatment foster care | PR–F | C | –0– | –0– |
| (q) | Girls school benevolent trust fund | SEG | C | –0– | –0– |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 107,265,800 | 111,443,500 |
| PROGRAM REVENUE | 80,651,100 | 82,468,000 |
| FEDERAL | (30,000) | (30,000) |
| OTHER | (75,900,700) | (77,717,600) |
| SERVICE | (4,720,400) | (4,720,400) |
| SEGREGATED FUNDS | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 187,916,900 | 193,911,500 |

20.410 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 675,523,100 | 709,752,400 |
| PROGRAM REVENUE | 136,805,000 | 139,878,600 |
| FEDERAL | (2,589,900) | (2,589,900) |
| OTHER | (85,735,800) | (87,332,500) |
| SERVICE | (48,479,300) | (49,956,200) |
| SEGREGATED FUNDS | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 812,328,100 | 849,631,000 |

**20.425 Employment relations commission**

(1) PROMOTION OF PEACE IN LABOR RELATIONS

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 2,662,600 | 2,662,600 |
| (g) | Publications | PR | A | 31,200 | 19,300 |
| (h) | Collective bargaining training | PR | A | 50,500 | 12,000 |
| (i) | Fees | PR | A | 190,200 | 190,200 |

20.425 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 2,662,600 | 2,662,600 |
| PROGRAM REVENUE | 271,900 | 221,500 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (271,900) | (221,500) |
| TOTAL–ALL SOURCES | | | 2,934,500 | 2,884,100 |

**20.432 Board on aging and long–term care**

(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED

| | | | | |
|---|---|---|---|---|
| (a) General program operations | GPR | A | 578,400 | 618,500 |
| (i) Gifts and grants | PR | C | –0– | –0– |
| (k) Contracts with state agencies | PR–S | A | 842,700 | 1,072,000 |
| (kb) Insurance and other information, counseling and assistance | PR–S | A | 229,500 | 248,800 |
| (m) Federal aid | PR–F | C | –0– | –0– |

20.432 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 578,400 | 618,500 |
| PROGRAM REVENUE | 1,072,200 | 1,320,800 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (1,072,200) | (1,320,800) |
| TOTAL–ALL SOURCES | 1,650,600 | 1,939,300 |

**20.433 Child abuse and neglect prevention board**

(1) PREVENTION OF CHILD ABUSE AND NEGLECT

| | | | | |
|---|---|---|---|---|
| (b) Early childhood family education center grants | GPR | A | –0– | –0– |
| (g) General program operations | PR | A | 296,400 | 309,500 |
| (h) Grants to organizations | PR | C | 1,480,000 | 1,480,000 |
| (i) Gifts and grants | PR | C | –0– | –0– |
| (k) Interagency programs | PR–S | C | 340,000 | 340,000 |
| (m) Federal project operations | PR–F | C | 108,500 | 108,500 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (ma) Federal project aids | PR–F | C | 350,000 | 350,000 |
| (q) Children's trust fund grants | SEG | C | –0– | –0– |
| (r) Children's trust fund; general program operations and statewide projects | SEG | A | 30,000 | 30,000 |

20.433 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | –0– | –0– |
| PROGRAM REVENUE | 2,574,900 | 2,588,000 |
| FEDERAL | (458,500) | (458,500) |
| OTHER | (1,776,400) | (1,789,500) |
| SERVICE | (340,000) | (340,000) |
| SEGREGATED FUNDS | 30,000 | 30,000 |
| OTHER | (30,000) | (30,000) |
| TOTAL–ALL SOURCES | 2,604,900 | 2,618,000 |

**20.434 Adolescent pregnancy prevention and pregnancy services**

(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES

| | | | | |
|---|---|---|---|---|
| (a) General program operations | GPR | A | 22,400 | 22,400 |
| (b) Grants to organizations | GPR | A | 87,900 | 87,900 |
| (kp) Interagency and intra–agency programs | PR–S | A | 89,800 | 89,800 |
| (ky) Interagency and intra–agency aids; pregnancy prevention and services | PR–S | C | 351,400 | 351,400 |

20.434 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 110,300 | 110,300 |
| PROGRAM REVENUE | 441,200 | 441,200 |
| SERVICE | (441,200) | (441,200) |
| TOTAL–ALL SOURCES | 551,500 | 551,500 |

**20.435 Health and family services, department of**

(1) PUBLIC HEALTH SVCS PLANNING, REG & DELIVERY; PUBLIC HLTH; STATE OPERATIONS

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 5,091,000 | 5,243,000 |
| (gm) | Licensing, review and certifying activities fee; supplies and services | PR | A | 4,955,000 | 5,097,000 |
| (gr) | Supplemental food program for women, infants and children adminstration | PR | C | –0– | –0– |
| (i) | Gifts and grants | PR | C | 174,500 | 204,900 |
| (jb) | Congenital disorders; operations | PR | A | 16,200 | 16,200 |
| (kx) | Interagency and intra–agency programs | PR–S | C | 671,600 | 715,400 |
| (m) | Federal project operations | PR–F | C | 11,765,300 | 12,689,700 |
| (mc) | Block grant operations | PR–F | C | 6,077,100 | 6,079,000 |
| (n) | Federal program operations | PR–F | C | 2,962,500 | 2,973,200 |
| (q) | Groundwater and air quality standards | SEG | A | 331,000 | 331,000 |
| (tc) | Program operations; statewide tobacco control program | SEG | B | 400,000 | –0– |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 5,091,000 | 5,243,000 |
| PROGRAM REVENUE | 26,622,200 | 27,775,400 |
| FEDERAL | (20,804,900) | (21,741,900) |
| OTHER | (5,145,700) | (5,318,100) |
| SERVICE | (671,600) | (715,400) |
| SEGREGATED FUNDS | 731,000 | 331,000 |
| OTHER | (731,000) | (331,000) |
| TOTAL–ALL SOURCES | 32,444,200 | 33,349,400 |

(2) CARE AND TREATMENT FACILITIES

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 39,482,600 | 39,743,400 |
| (aa) | Institutional repair and maintenance | GPR | A | 415,700 | 442,400 |
| (b) | Wisconsin resource center | GPR | A | 20,118,700 | 27,535,400 |
| (bj) | Conditional and supervised release treatment and services | GPR | B | 3,568,500 | 4,060,300 |
| (bm) | Secure mental health units or facilities | GPR | A | 8,866,600 | 8,141,200 |
| (ee) | Principal repayment and interest | GPR | S | 10,373,700 | 10,925,900 |
| (ef) | Lease rental payments | GPR | S | –0– | –0– |
| (f) | Energy costs | GPR | A | 2,241,900 | 2,283,600 |
| (gk) | Institutional operations and charges | PR | A | 150,426,300 | 152,571,600 |
| (gs) | Sex offender honesty testing | PR | C | –0– | –0– |
| (i) | Gifts and grants | PR | C | 173,400 | 173,400 |
| (kx) | Interagency and intra–agency programs | PR–S | C | 6,788,200 | 6,897,300 |
| (ky) | Interagency and intra–agency aids | PR–S | C | –0– | –0– |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | –0– | –0– |
| (m) | Federal project operations | PR–F | C | –0– | –0– |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 85,067,700 | 93,132,200 |
| PROGRAM REVENUE | 157,387,900 | 159,642,300 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (150,599,700) | (152,745,000) |

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| | | SERVICE | | | (6,788,200) | (6,897,300) |
| | | TOTAL–ALL SOURCES | | | 242,455,600 | 252,774,500 |
| (3) | | CHILDREN AND FAMILY SERVICES | | | | |
| | (a) | General program operations | GPR | A | 3,023,600 | 3,086,100 |
| | (bc) | Grants for community programs | GPR | A | 697,200 | 697,200 |
| | (bm) | Assistance for children and families | GPR | S | –0– | 250,000 |
| | (c) | Statutory rape prosecution pilot program | GPR | C | 183,700 | –0– |
| | (cd) | Domestic abuse grants | GPR | A | 5,070,200 | 5,070,200 |
| | (cf) | Foster, treatment foster and family–operated group home ins. & liability | GPR | A | 60,000 | 60,000 |
| | (cw) | Milwaukee child welfare services; general program operations | GPR | A | 10,870,200 | 11,177,700 |
| | (cx) | Milwaukee child welfare services; aids | GPR | A | 23,478,400 | 12,161,500 |
| | (dd) | State foster care and adoption services | GPR | A | 19,838,100 | 23,337,300 |
| | (de) | Child abuse and neglect prevention grants | GPR | A | 995,700 | 995,700 |
| | (df) | Child abuse and neglect prevention technical assistance | GPR | A | 160,000 | 160,000 |
| | (dg) | State adoption information exchange and state adoption center | GPR | A | 125,000 | 125,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (dn) | Food distribution grants | GPR | A | 170,000 | 170,000 |
| (eg) | Adolescent services | GPR | A | 115,000 | 592,400 |
| (fm) | Community alcohol and other drug abuse prevention program | GPR | A | 250,000 | –0– |
| (gb) | National and community service board; gifts and grants | PR–F | C | –0– | –0– |
| (gx) | Milwaukee child welfare services; collections | PR | C | 2,992,300 | 2,992,300 |
| (hh) | Domestic abuse assessment grants | PR | C | 300,000 | 300,000 |
| (i) | Gifts and grants | PR | C | –0– | –0– |
| (jb) | Fees for administrative services | PR | C | 20,000 | 20,000 |
| (jj) | Searches for birth parents and adoption record information; foreign adopt | PR | A | 60,800 | 60,800 |
| (jm) | Licensing activities | PR | A | 758,000 | 758,300 |
| (kc) | Interagency and intra–agency aids; kinship care and long–term kinship care | PR–S | A | 22,965,400 | 24,521,700 |
| (kd) | Kinship care and long–term kinship care assessments | PR–S | A | 1,464,000 | 1,464,000 |
| (km) | Federal block grant transfer; aids | PR–S | A | 2,492,100 | 2,517,100 |
| (kw) | Interagency and intra–agency aids; Milwaukee child welfare services | PR–S | C | 58,893,500 | 58,893,500 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (kx) | Interagency and intra–agency programs | PR–S | C | 4,327,800 | 4,404,800 |
| (ky) | Interagency and intra–agency aids | PR–S | C | 815,000 | 815,000 |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | 1,090,000 | 1,090,000 |
| (m) | Federal project operations | PR–F | C | 270,200 | 270,300 |
| (ma) | Federal project aids | PR–F | C | 1,593,300 | 1,468,300 |
| (mb) | Federal project local assistance | PR–F | C | –0– | –0– |
| (mc) | Federal block grant operations | PR–F | C | 2,313,000 | 2,051,200 |
| (md) | Federal block grant aids | PR–F | C | 6,314,700 | 5,114,700 |
| (me) | Federal block grant local assistance | PR–F | C | 250,000 | –0– |
| (mw) | Federal aid; Milwaukee child welfare services general program operations | PR–F | C | 4,617,400 | 4,891,000 |
| (mx) | Federal aid; Milwaukee child welfare services aids | PR–F | C | 6,187,300 | 6,934,800 |
| (n) | Federal program operations | PR–F | C | 3,325,200 | 5,478,800 |
| (na) | Federal program aids | PR–F | C | 2,915,000 | 2,915,000 |
| (nL) | Federal program local assistance | PR–F | C | 4,360,600 | 5,889,200 |
| (o) | Community aids; prevention activities | PR–F | C | 2,710,100 | 2,710,100 |
| (om) | National and community service board; federal aid for administration | PR–F | A | 194,600 | 194,600 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (p) | National and community service board; federal aid for grants | PR–F | C | 2,074,500 | 2,074,500 |
| (pd) | Federal aid; state foster care and adoption services | PR–F | C | 18,433,300 | 21,622,800 |
| (pm) | Federal aid; adoption incentive payments | PR–F | C | 1,031,700 | 307,800 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 65,037,100 | 57,883,100 |
| PROGRAM REVENUE | 152,769,800 | 159,760,600 |
| FEDERAL | (56,590,900) | (61,923,100) |
| OTHER | (4,131,100) | (4,131,400) |
| SERVICE | (92,047,800) | (93,706,100) |
| TOTAL–ALL SOURCES | 217,806,900 | 217,643,700 |

(4) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH CARE FINANCING

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 7,290,700 | 7,353,300 |
| (af) | HIRSP; transfer to fund for costs | GPR | A | 9,900,000 | 11,900,000 |
| (ah) | HIRSP; transfer to fund for premium and deductible reduction subsidy | GPR | B | 780,800 | 780,800 |
| (b) | Medical assistance program benefits | GPR | B | 971,427,400 | 982,154,200 |
| (bc) | Health care for low–income families | GPR | C | 22,356,500 | 34,218,300 |
| (bm) | Medical assistance administration | GPR | B | 19,193,200 | 18,813,800 |
| (bt) | Relief block grants to counties | GPR | A | 2,000,000 | 2,000,000 |
| (d) | Facility appeals mechanism | GPR | A | 546,800 | 546,800 |
| (e) | Disease aids | GPR | B | 4,060,300 | 4,932,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (g) | Family care benefit; cost sharing | PR | C | –0– | 8,476,700 |
| (gm) | Health services regulation and vital statistics | PR | A | 1,610,100 | 1,610,700 |
| (gp) | Health care; aids | PR | C | 1,500,000 | 1,500,000 |
| (h) | General assistance medical program; intergovernmental transfer | PR | A | 2,500,000 | 2,500,000 |
| (hg) | General program operations; health care information | PR | A | 1,902,000 | 1,937,500 |
| (hi) | Compilations and special reports | PR | C | –0– | –0– |
| (i) | Gifts and grants; health care financing | PR | C | –0– | –0– |
| (im) | Medical assistance; recovery of correct payments | PR | C | 14,502,700 | 14,502,700 |
| (in) | Community options program; costs of care recovery administration | PR | A | 72,500 | 72,600 |
| (jz) | Badger care premiums | PR | C | 1,199,300 | 1,660,200 |
| (kb) | Relief block grants to tribal governing bodies | PR–S | A | 800,000 | 800,000 |
| (kx) | Interagency and intra–agency programs | PR–S | C | 1,074,000 | 1,374,000 |
| (ky) | Interagency and intra–agency aids | PR–S | C | 1,008,700 | 1,070,000 |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (m) | Federal project operations | PR–F | C | 347,500 | 338,500 |
| (ma) | Federal project aids | PR–F | C | –0– | –0– |
| (md) | Federal block grant aids | PR–F | C | –0– | –0– |
| (n) | Federal program operations | PR–F | C | 22,347,800 | 22,481,200 |
| (na) | Federal program aids | PR–F | C | 7,088,700 | 7,088,700 |
| (o) | Federal aid; medical assistance | PR–F | C | 1,764,592,000 | 1,844,535,600 |
| (p) | Federal aid; health care for low–income families | PR–F | C | 40,033,600 | 61,758,100 |
| (pa) | Federal aid; medical assistance contracts administration | PR–F | C | 35,269,200 | 36,889,100 |
| (u) | HIRSP; administration | SEG | B | 3,805,000 | 3,805,000 |
| (v) | HIRSP; program benefits | SEG | C | 46,668,500 | 46,668,500 |

(4) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,037,555,700 | 1,062,699,200 |
| PROGRAM REVENUE | 1,895,848,100 | 2,008,595,600 |
| FEDERAL | (1,869,678,800) | (1,973,091,200) |
| OTHER | (23,286,600) | (32,260,400) |
| SERVICE | (2,882,700) | (3,244,000) |
| SEGREGATED FUNDS | 50,473,500 | 50,473,500 |
| OTHER | (50,473,500) | (50,473,500) |
| TOTAL–ALL SOURCES | 2,983,877,300 | 3,121,768,300 |

(5) PUBLIC HEALTH SVCS PLANNING, REG & DELIVERY; PUBLIC HLTH; AIDS/LOCAL ASSIST

| | | | | | |
|---|---|---|---|---|---|
| (am) | Services, reimburse & payment related to acquired immunodeficiency syndrome | GPR | A | 3,665,900 | 4,033,800 |
| (cb) | Women's health services | GPR | A | 1,225,000 | 1,027,600 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (cc) | Cancer treatment, training, follow–up, control and prevention | GPR | A | 1,282,800 | 1,282,800 |
| (ce) | Services for homeless individuals | GPR | C | 125,000 | 125,000 |
| (ch) | Emergency medical services; aids | GPR | A | 2,200,000 | 2,200,000 |
| (cm) | Immunization | GPR | S | –0– | –0– |
| (de) | Dental services | GPR | A | 2,860,500 | 2,970,500 |
| (dg) | Tobacco prevention and education program | GPR | A | 1,000,000 | 1,000,000 |
| (ds) | Statewide poison control program | GPR | A | 375,000 | 375,000 |
| (e) | Tuberculosis services | GPR | B | 391,900 | 391,900 |
| (ed) | Radon aids | GPR | A | 30,000 | 30,000 |
| (ef) | Lead poisoning or lead exposure services | GPR | A | 1,004,100 | 1,004,100 |
| (eg) | Pregnancy counseling | GPR | A | 275,000 | 275,000 |
| (em) | Supplemental food program for women, infants and children benefits | GPR | C | 167,300 | 167,300 |
| (ev) | Pregnancy outreach and infant health | GPR | A | 350,000 | 350,000 |
| (f) | Family planning | GPR | A | 1,955,200 | 1,955,200 |
| (fh) | Community health services | GPR | A | 3,950,000 | 4,450,000 |
| (i) | Gifts and grants; aids | PR | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ja) | Congenital disorders; diagnosis, special dietary treatment and counseling | PR | A | 1,456,400 | 1,456,400 |
| (jk) | Newborn hearing screening programs | PR | C | 333,000 | 333,000 |
| (ke) | Cooperative American Indian health projects | PR–S | A | 120,000 | 120,000 |
| (ky) | Interagency and intra–agency aids | PR–S | C | 2,517,000 | 2,517,000 |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | 234,100 | 234,100 |
| (ma) | Federal project aids | PR–F | C | 3,614,100 | 3,614,100 |
| (md) | Block grant aids | PR–F | C | 9,174,000 | 9,174,000 |
| (na) | Federal program aids | PR–F | C | 56,803,000 | 56,803,000 |
| (tc) | Statewide tobacco control program | SEG | C | 2,092,000 | –0– |

(5) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 20,857,700 | 21,638,200 |
| PROGRAM REVENUE | 74,251,600 | 74,251,600 |
| FEDERAL | (69,591,100) | (69,591,100) |
| OTHER | (1,789,400) | (1,789,400) |
| SERVICE | (2,871,100) | (2,871,100) |
| SEGREGATED FUNDS | 2,092,000 | –0– |
| OTHER | (2,092,000) | (–0–) |
| TOTAL–ALL SOURCES | 97,201,300 | 95,889,800 |

(6) SUPPORTIVE LIVING; STATE OPERATIONS

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations; projects; council on physical disabilities | GPR | A | 13,420,300 | 13,878,200 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (dm) | Nursing home monitoring and receivership supplement | GPR | S | –0– | –0– |
| (e) | Principal repayment and interest | GPR | S | 32,500 | 31,400 |
| (ee) | Admin. exp. for state suppl to federal supplemental security income program | GPR | A | 859,800 | 859,800 |
| (g) | Nursing facility resident protection | PR | C | 150,000 | 150,000 |
| (ga) | Community–based residential facility monitoring and receivership ops | PR | C | –0– | –0– |
| (gb) | Alcohol and drug abuse initiatives | PR | C | 733,800 | 733,800 |
| (gd) | Group home revolving loan fund | PR | A | 100,000 | 100,000 |
| (gg) | Contractural services | PR | C | –0– | –0– |
| (hs) | Interpreter services for hearing impaired | PR | A | 40,000 | 40,000 |
| (hx) | Services related to drivers, receipts | PR | A | –0– | –0– |
| (i) | Gifts and grants | PR | C | 21,200 | 21,200 |
| (jb) | Fees for administrative services | PR | C | 420,800 | 420,800 |
| (jm) | Licensing and support services | PR | A | 2,708,000 | 3,099,000 |
| (k) | Nursing home monitoring and receivership operations | PR–S | C | –0– | –0– |
| (kx) | Interagency and intra–agency programs | PR–S | C | 1,579,800 | 1,531,900 |
| (m) | Federal project operations | PR–F | C | 4,392,200 | 4,263,700 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (mc) | Federal block grant operations | PR–F | C | 2,138,200 | 2,099,800 |
| (n) | Federal program operations | PR–F | C | 14,558,100 | 14,894,300 |

(6) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 14,312,600 | 14,769,400 |
| PROGRAM REVENUE | 26,842,100 | 27,354,500 |
| FEDERAL | (21,088,500) | (21,257,800) |
| OTHER | (4,173,800) | (4,564,800) |
| SERVICE | (1,579,800) | (1,531,900) |
| TOTAL–ALL SOURCES | 41,154,700 | 42,123,900 |

(7) SUPPORTIVE LIVING; AIDS AND LOCAL ASSISTANCE

| | | | | | |
|---|---|---|---|---|---|
| (b) | Community aids | GPR | A | 181,191,500 | 189,991,400 |
| (bc) | Grants for community programs | GPR | A | 1,757,600 | 1,727,600 |
| (bd) | Community options program; pilot projects; family care benefit | GPR | A | 103,982,800 | 103,990,200 |
| (be) | Mental health treatment services | GPR | A | 12,334,000 | 12,334,000 |
| (bg) | Alzheimer's disease; training and information grants | GPR | A | 132,700 | 132,700 |
| (bL) | Community support program grants | GPR | A | 186,900 | 186,900 |
| (bm) | Purchased services for clients | GPR | A | 163,900 | 163,900 |
| (br) | Respite care | GPR | A | 50,000 | 225,000 |
| (bt) | Early intervention services for infants and toddlers with disabilities | GPR | A | 4,759,200 | 4,759,200 |
| (c) | Independent living centers | GPR | A | 1,221,000 | 1,221,000 |
| (ce) | Services for homeless individuals | GPR | A | 45,000 | 45,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (cg) | Guardianship grant program | GPR | A | 193,600 | 193,600 |
| (co) | Integrated service programs for children with severe disabilities | GPR | A | 133,300 | 133,300 |
| (d) | Telecommunication aid for the hearing impaired | GPR | A | 80,000 | 80,000 |
| (da) | Reimbursements to local units of government | GPR | S | 400,000 | 400,000 |
| (dh) | Programs for senior citizens; elder abuse services; benefit specialist pgm | GPR | A | 10,161,100 | 10,161,100 |
| (ed) | State supplement to federal supplemental security income program | GPR | S | 128,281,600 | 128,281,600 |
| (gg) | Collection remittances to local units of government | PR | C | 100,000 | 100,000 |
| (hy) | Services for drivers, local assistance | PR | A | 1,000,000 | 1,000,000 |
| (i) | Gifts and grants; local assistance | PR | C | –0– | –0– |
| (im) | Community options program; family care benefit; recovery of costs | PR | C | 15,000 | 15,000 |
| (kb) | Severely emotionally disturbed children | PR–S | C | 1,242,300 | 1,242,300 |
| (kc) | Independent living center grants | PR–S | A | 300,000 | 300,000 |
| (kd) | Rehabilitation teaching aids | PR–S | C | 22,700 | 22,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (kg) | Compulsive gambling awareness campaigns | PR–S | A | 250,000 | 250,000 |
| (kL) | Indian aids | PR–S | A | 271,600 | 271,600 |
| (km) | Indian drug abuse prevention and education | PR–S | A | 500,000 | 500,000 |
| (kw) | Interagency community aids | PR–S | A | 31,800,000 | 18,086,200 |
| (ky) | Interagency and intra–agency aids | PR–S | C | 14,070,700 | 18,303,500 |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | 2,500,900 | 2,500,900 |
| (ma) | Federal project aids | PR–F | C | 12,471,500 | 12,471,500 |
| (mb) | Federal project local assistance | PR–F | C | –0– | –0– |
| (md) | Federal block grant aids | PR–F | C | 5,906,700 | 7,392,700 |
| (me) | Federal block grant local assistance | PR–F | C | 10,928,700 | 10,728,700 |
| (na) | Federal program aids | PR–F | C | 22,687,700 | 22,687,700 |
| (nL) | Federal program local assistance | PR–F | C | 5,553,800 | 5,553,800 |
| (o) | Federal aid; community aids | PR–F | C | 88,538,900 | 84,555,100 |

(7) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 445,074,200 | 454,026,500 |
| PROGRAM REVENUE | 198,160,500 | 185,981,700 |
| FEDERAL | (146,087,300) | (143,389,500) |
| OTHER | (1,115,000) | (1,115,000) |
| SERVICE | (50,958,200) | (41,477,200) |
| TOTAL–ALL SOURCES | 643,234,700 | 640,008,200 |

(8) GENERAL ADMINISTRATION

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 16,171,800 | 16,154,400 |
| (i) | Gifts and grants | PR | C | 422,400 | 422,400 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (k) | Administrative and support services | PR–S | A | 32,639,500 | 34,847,200 |
| (kx) | Interagency and intra–agency programs | PR–S | C | 209,700 | 214,400 |
| (ky) | Interagency and intra–agency aids | PR–S | C | –0– | –0– |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | –0– | –0– |
| (m) | Federal project operations | PR–F | C | 7,000 | 7,000 |
| (ma) | Federal project aids | PR–F | C | –0– | –0– |
| (mb) | Income augmentation services receipts | PR–F | C | 313,300 | 1,435,200 |
| (mc) | Federal block grant operations | PR–F | C | 1,561,700 | 1,406,900 |
| (mm) | Reimbursements from federal government | PR–F | C | –0– | –0– |
| (n) | Federal program operations | PR–F | C | 3,721,500 | 2,337,400 |
| (pz) | Indirect cost reimbursements | PR–F | C | 1,989,100 | 1,981,000 |

(8) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 16,171,800 | 16,154,400 |
| PROGRAM REVENUE | 40,864,200 | 42,651,500 |
| FEDERAL | (7,592,600) | (7,167,500) |
| OTHER | (422,400) | (422,400) |
| SERVICE | (32,849,200) | (35,061,600) |
| TOTAL–ALL SOURCES | 57,036,000 | 58,805,900 |

20.435 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,689,167,800 | 1,725,546,000 |
| PROGRAM REVENUE | 2,572,746,400 | 2,686,013,200 |
| FEDERAL | (2,191,434,100) | (2,298,162,100) |
| OTHER | (190,663,700) | (202,346,500) |
| SERVICE | (190,648,600) | (185,504,600) |
| SEGREGATED FUNDS | 53,296,500 | 50,804,500 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (53,296,500) | (50,804,500) |
| TOTAL–ALL SOURCES | | | 4,315,210,700 | 4,462,363,700 |

**20.440 Health and educational facilities authority**

(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES

| | | | | |
|---|---|---|---|---|
| (a) General program operations | GPR | C | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |

(2) RURAL HOSPITAL LOAN GUARANTEE

| | | | | |
|---|---|---|---|---|
| (a) Rural assistance loan fund | GPR | C | –0– | –0– |
| (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– |

**20.445 Workforce development, department of**

(1) WORKFORCE DEVELOPMENT

| | | | | |
|---|---|---|---|---|
| (a) General program operations | GPR | A | 6,971,000 | 6,971,000 |
| (aa) Special death benefit | GPR | S | 479,100 | 479,100 |
| (bc) Assistance for dislocated workers | GPR | A | –0– | –0– |
| (cm) Wisconsin service corps member compensation and support | GPR | C | 94,300 | 94,300 |
| (f) Death and disability benefit payments; public insurrections | GPR | S | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (fg) | Employment transit aids, state funds | GPR | A | 579,100 | 579,100 |
| (g) | Gifts and grants | PR | C | –0– | 100 |
| (ga) | Auxiliary services | PR | C | 586,500 | 586,500 |
| (gb) | Local agreements | PR | C | 5,793,900 | 5,418,300 |
| (gc) | Unemployment administration | PR | C | –0– | –0– |
| (gd) | Unemployment interest and penalty payments | PR | C | 246,000 | 246,000 |
| (ge) | Unemployment reserve fund research | PR | A | 263,700 | 251,500 |
| (gf) | Employment security administration | PR | A | 1,566,100 | 1,525,900 |
| (gg) | Unemployment information technology systems; interest and penalties | PR | C | –0– | –0– |
| (gh) | Unemployment information technology systems; assessments | PR | C | 1,000,700 | 1,400 |
| (ha) | Worker's compensation operations | PR | A | 9,495,500 | 9,561,300 |
| (hb) | Worker's compensation contracts | PR | C | 500,000 | 500,000 |
| (hp) | Uninsured employers program; administration | PR | A | 926,400 | 897,000 |
| (jm) | Dislocated worker program grants | PR | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (jr) | Wisconsin service corps member compensation & support; sponsor contribution | PR | C | –0– | –0– |
| (ka) | Interagency and intra–agency agreements | PR–S | C | 281,100 | 131,200 |
| (kc) | Administrative services | PR–S | A | 45,317,500 | 45,395,400 |
| (km) | Wisconsin service corps member compensation and support; service funds | PR–S | C | –0– | –0– |
| (kr) | Employment transit aids, federal oil overcharge funds | PR–F | C | –0– | –0– |
| (L) | Childsupport – related fees | PR | C | –0– | –0– |
| (m) | Federal funds | PR–F | C | 1,958,700 | 1,460,100 |
| (ma) | Federal aid — program administration | PR–F | C | 3,076,100 | 3,081,900 |
| (mb) | Federal aid — employment and training local assistance | PR–F | C | 1,186,900 | 1,149,700 |
| (mc) | Federal aid — employment and training aids | PR–F | C | 20,497,000 | 19,882,200 |
| (n) | Unemployment administration; federal moneys | PR–F | C | 81,860,400 | 76,060,700 |
| (na) | Employment security buildings and equipment | PR–F | C | 99,300 | 99,300 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (nb) Unemployment information technology systems; federal moneys | PR–F | C | –0– | –0– |
| (ox) Employment transit aids, federal funds | PR–F | C | –0– | –0– |
| (pz) Indirect cost reimbursements | PR–F | C | 234,000 | 234,000 |
| (s) Self–insured employers liability fund | SEG | C | –0– | –0– |
| (sm) Uninsured employers fund; payments | SEG | S | 1,200,000 | 1,200,000 |
| (t) Work injury supplemental benefit fund | SEG | C | 2,500,000 | 2,500,000 |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 8,123,500 | 8,123,500 |
| PROGRAM REVENUE | | | 174,889,800 | 166,482,500 |
| FEDERAL | | | (108,912,400) | (101,967,900) |
| OTHER | | | (20,378,800) | (18,988,000) |
| SERVICE | | | (45,598,600) | (45,526,600) |
| SEGREGATED FUNDS | | | 3,700,000 | 3,700,000 |
| OTHER | | | (3,700,000) | (3,700,000) |
| TOTAL–ALL SOURCES | | | 186,713,300 | 178,306,000 |
| (2) REVIEW COMMISSION | | | | |
| (a) General program operations, review commission | GPR | A | 186,500 | 186,500 |
| (ha) Worker's compensation operations | PR | A | 582,500 | 551,900 |
| (m) Federal moneys | PR–F | C | 121,600 | 115,200 |
| (n) Unemployment administration; federal moneys | PR–F | C | 1,579,900 | 1,501,600 |
| (2) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 186,500 | 186,500 |

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| | | PROGRAM REVENUE | | | 2,284,000 | 2,168,700 |
| | | FEDERAL | | | (1,701,500) | (1,616,800) |
| | | OTHER | | | (582,500) | (551,900) |
| | | TOTAL–ALL SOURCES | | | 2,470,500 | 2,355,200 |
| (3) | | ECONOMIC SUPPORT | | | | |
| | (a) | General program operations | GPR | A | 29,053,000 | 28,876,000 |
| | (br) | Public assistance reform studies | GPR | C | 525,300 | 525,300 |
| | (cm) | Wisconsin works child care | GPR | A | 16,449,400 | 16,449,400 |
| | (cr) | State supplement to employment opportunity demonstration projects | GPR | A | 250,000 | 250,000 |
| | (dc) | Emergency assistance program | GPR | A | 1,659,700 | 1,659,700 |
| | (dz) | Wisconsin works and other public assistance administration and benefits | GPR | A | 192,269,600 | 164,406,600 |
| | (e) | Job access loans | GPR | B | 450,000 | 450,000 |
| | (em) | Employment skills advancement program | GPR | A | 50,000 | 50,000 |
| | (i) | Gifts and grants | PR | C | 15,900 | 15,900 |
| | (ja) | Child support state operations–fees | PR | C | 8,135,700 | 7,235,700 |
| | (jb) | Fees for administrative services | PR | C | 483,700 | 485,800 |
| | (jL) | Job access loan repayments | PR | C | 83,300 | 83,300 |
| | (k) | Child support transfers | PR–S | C | 43,649,200 | 44,319,000 |
| | (kp) | Delinquent support and maintenace payments | PR–S | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (kx) | Interagency and intra–agency programs | PR–S | C | 871,700 | 871,800 |
| (ky) | Interagency and intra–agency aids | PR–S | C | 20,000,000 | 20,000,000 |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | –0– | –0– |
| (L) | Welfare fraud and error reductions; state operations | PR | A | 906,300 | 911,200 |
| (Lm) | Welfare fraud and error reduction; local assistance | PR | C | 1,469,800 | 1,469,800 |
| (m) | Federal project operations | PR–F | C | 4,951,000 | 4,951,000 |
| (ma) | Federal project aids | PR–F | C | 330,000 | 330,000 |
| (mb) | Federal project local assistance | PR–F | C | –0– | –0– |
| (mc) | Federal block grant operations | PR–F | A | 35,086,800 | 34,619,300 |
| (md) | Federal block grant aids | PR–F | A | 297,210,300 | 357,612,800 |
| (mm) | Reimbursements from federal government | PR–F | C | –0– | –0– |
| (n) | Federal program operations | PR–F | C | 40,562,300 | 40,382,500 |
| (na) | Federal program aids | PR–F | C | 4,000,000 | 4,000,000 |
| (nL) | Federal program local assistance | PR–F | C | 64,010,300 | 61,251,900 |
| (pm) | Food stamp employment and training program; administration | PR–F | C | 403,500 | 403,600 |
| (ps) | Food stamp employment and training program; aids | PR–F | C | 7,510,600 | 7,510,600 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (pv) Food stamps; electronic benefit transfer | PR–F | C | –0– | –0– |
| (pz) Income augmentation services receipts | PR–F | C | –0– | –0– |
| (q) Centralized support receipt and disbursement; interest | SEG | S | 852,500 | 852,500 |
| (r) Support receipt and disbursement program; payments | SEG | C | –0– | –0– |
| (3) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 240,707,000 | 212,667,000 |
| PROGRAM REVENUE | | | 529,680,400 | 586,454,200 |
| FEDERAL | | | (454,064,800) | (511,061,700) |
| OTHER | | | (11,094,700) | (10,201,700) |
| SERVICE | | | (64,520,900) | (65,190,800) |
| SEGREGATED FUNDS | | | 852,500 | 852,500 |
| OTHER | | | (852,500) | (852,500) |
| TOTAL–ALL SOURCES | | | 771,239,900 | 799,973,700 |
| (4) ADJUDICATION OF CLAIMS | | | | |
| (a) Administration of mining damage claims | GPR | A | –0– | –0– |
| (b) Funding for mining damage claims | GPR | S | –0– | –0– |
| (4) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (5) VOCATIONAL REHABILITATION SERVICES | | | | |
| (a) General program operations | GPR | A | 5,178,700 | 5,178,700 |
| (bm) Purchased services for clients | GPR | A | 5,354,500 | 5,354,500 |
| (gg) Contractual services | PR | C | 29,100 | 29,100 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (gp) | Contractual services aids | PR | C | 1,662,000 | 1,662,000 |
| (h) | Enterprises and services for blind and visually impaired | PR | C | 129,000 | 129,000 |
| (hd) | Rehabilitation teaching aids | PR | A | –0– | –0– |
| (he) | Supervised business enterprise | PR | C | 150,000 | 150,000 |
| (i) | Gifts and grants | PR | C | 10,100 | 10,100 |
| (kg) | Vocational rehabilitation services for tribes | PR–S | A | 350,000 | 350,000 |
| (kx) | Interagency and intra–agency programs | PR–S | C | 222,300 | 215,900 |
| (ky) | Interagency and intra–agency aids | PR–S | C | 727,100 | 827,100 |
| (kz) | Interagency and intra–agency local assistance | PR–S | C | –0– | –0– |
| (m) | Federal project operations | PR–F | C | 462,400 | 462,400 |
| (ma) | Federal project aids | PR–F | C | 675,000 | 700,000 |
| (n) | Federal program operations | PR–F | C | 21,356,200 | 21,411,100 |
| (na) | Federal program aids | PR–F | C | 28,834,300 | 28,834,300 |
| (nL) | Federal program local assistance | PR–F | C | –0– | –0– |

(5) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 10,533,200 | 10,533,200 |
| PROGRAM REVENUE | 54,607,500 | 54,781,000 |
| FEDERAL | (51,327,900) | (51,407,800) |
| OTHER | (1,980,200) | (1,980,200) |
| SERVICE | (1,299,400) | (1,393,000) |
| TOTAL–ALL SOURCES | 65,140,700 | 65,314,200 |

(6) WISCONSIN CONSERVATION CORPS

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (b) | General enrollee operations | GPR | B | 1,225,600 | 1,225,600 |
| (bm) | General enrollee operations supplement | GPR | B | 281,100 | 281,100 |
| (c) | Administrative support; general program operations | GPR | A | 230,700 | 233,100 |
| (j) | General enrollee operations; sponsor contribution | PR | C | –0– | –0– |
| (ja) | Administrative support; sponsor contribution | PR | C | –0– | –0– |
| (jb) | Gifts and related support | PR | C | –0– | –0– |
| (k) | General enrollee operations; service funds | PR–S | C | 455,900 | 455,900 |
| (kb) | Administrative support; service funds | PR–S | C | 46,800 | 44,500 |
| (m) | General enrollee operations; federal funds | PR–F | C | –0– | –0– |
| (n) | Administrative support; federal funds | PR–F | C | –0– | –0– |
| (u) | General enrollee operations; conservation fund | SEG | B | 2,889,500 | 2,996,600 |
| (w) | General enrollee operations; environmental fund | SEG | B | 76,700 | 76,700 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (x) General enrollee operations; waterfront projects; conservation fund | SEG | B | 141,700 | 141,700 |
| (y) Administrative support; conservation fund | SEG | A | 466,200 | 470,900 |

(6) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,737,400 | 1,739,800 |
| PROGRAM REVENUE | 502,700 | 500,400 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (502,700) | (500,400) |
| SEGREGATED FUNDS | 3,574,100 | 3,685,900 |
| OTHER | (3,574,100) | (3,685,900) |
| TOTAL–ALL SOURCES | 5,814,200 | 5,926,100 |

(7) GOVERNOR'S WORK–BASED LEARNING BOARD

| | | | | |
|---|---|---|---|---|
| (a) General program operations | GPR | A | 688,400 | 688,400 |
| (b) Local youth apprenticeship grants | GPR | A | 1,150,000 | 1,150,000 |
| (ef) School–to–work programs for children at risk | GPR | A | 300,000 | 300,000 |
| (em) Youth apprenticeship training grants | GPR | A | –0– | –0– |
| (kb) Funds transferred from the technical college system board; school–to–work | PR–S | C | 2,277,300 | 2,277,300 |
| (kc) Transfer of public assistance funds; work–based learning programs | PR–S | C | 2,969,700 | 6,084,500 |
| (kx) Interagency and intra–agency programs | PR–S | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (7) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,138,400 | 2,138,400 |
| PROGRAM REVENUE | | | 5,247,000 | 8,361,800 |
| SERVICE | | | (5,247,000) | (8,361,800) |
| TOTAL–ALL SOURCES | | | 7,385,400 | 10,500,200 |
| 20.445 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 263,426,000 | 235,388,400 |
| PROGRAM REVENUE | | | 767,211,400 | 818,748,600 |
| FEDERAL | | | (616,006,600) | (666,054,200) |
| OTHER | | | (34,036,200) | (31,721,800) |
| SERVICE | | | (117,168,600) | (120,972,600) |
| SEGREGATED FUNDS | | | 8,126,600 | 8,238,400 |
| OTHER | | | (8,126,600) | (8,238,400) |
| TOTAL–ALL SOURCES | | | 1,038,764,000 | 1,062,375,400 |
| **20.455 Justice, department of** | | | | |
| (1) LEGAL SERVICES | | | | |
| (a) General program operations | GPR | A | 12,606,200 | 12,624,800 |
| (b) Special counsel | GPR | S | 1,100,000 | 1,100,000 |
| (d) Legal expenses | GPR | B | 931,400 | 931,400 |
| (gh) Investigations and prosecution | PR | A | –0– | –0– |
| (gs) Delinquent obligation collection | PR | A | 66,300 | 66,300 |
| (hm) Restitution | PR | C | –0– | –0– |
| (k) Environment litigation project | PR–S | C | 352,600 | 352,700 |
| (km) Interagency and intra–agency assistance | PR–S | A | 393,100 | 393,100 |
| (kt) Telecommunications positions | PR | C | 119,200 | 119,200 |
| (m) Federal aid | PR–F | C | 609,500 | 606,000 |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 14,637,600 | 14,656,200 |
| PROGRAM REVENUE | | | 1,540,700 | 1,537,300 |
| FEDERAL | | | (609,500) | (606,000) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (185,500) | (185,500) |
| SERVICE | | | (745,700) | (745,800) |
| TOTAL–ALL SOURCES | | | 16,178,300 | 16,193,500 |
| (2) LAW ENFORCEMENT SERVICES | | | | |
| (a) General program operations | GPR | A | 12,918,400 | 12,960,200 |
| (am) Officer training reimbursement | GPR | S | 50,000 | 50,000 |
| (b) Investigations and operations | GPR | A | –0– | –0– |
| (c) Crime laboratory equipment | GPR | B | –0– | –0– |
| (cm) Computers for transaction information for management of enforcement system | GPR | A | 1,062,800 | 1,062,800 |
| (dg) Weed and seed and law enforcement technology | GPR | A | 500,000 | 500,000 |
| (dq) Law enforcement community policing grants | GPR | B | –0– | –0– |
| (e) Drug enforcement | GPR | A | –0– | –0– |
| (g) Gaming law enforcement; racing revenues | PR | A | 97,600 | 97,800 |
| (gc) Gaming law enforcement; Indian gaming | PR | A | 99,300 | 99,700 |
| (gm) Criminal history searches; fingerprint identification | PR | C | 2,718,900 | 2,719,000 |
| (gr) Gun purchaser record checks | PR | C | 363,500 | 364,300 |
| (h) Terminal charges | PR | A | 2,720,200 | 2,805,400 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (i) | Penalty assessment surcharge, receipts | PR | A | –0– | –0– |
| (j) | Law enforcement training fund, local assistance | PR | A | 3,635,500 | 3,715,500 |
| (ja) | Law enforcement training fund, state operations | PR | A | 2,903,800 | 2,915,100 |
| (jb) | Crime laboratory equipment and supplies | PR | A | 377,300 | 377,300 |
| (k) | Interagency and intra–agency assistance; investigations | PR–S | C | 1,423,800 | 747,000 |
| (kd) | Drug law enforcement and crime laboratories | PR–S | A | 2,031,300 | 2,037,300 |
| (ke) | Drug enforcement intelligence operations | PR–S | A | 1,265,700 | 1,266,600 |
| (kg) | Interagency and intra–agency assistance; fingerprint identification | PR–S | A | –0– | –0– |
| (km) | Lottery background investigations | PR–S | A | –0– | –0– |
| (kt) | County–tribal programs, local assistance | PR–S | A | 708,400 | 708,400 |
| (ku) | County–tribal programs, state operations | PR–S | A | 50,500 | 50,500 |
| (Lm) | Crime laboratories; deoxyribonucleic acid analysis | PR | C | 899,900 | 1,280,800 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (m) | Federal aid, state operations | PR–F | C | 655,700 | 655,700 |
| (ma) | Federal aid, drug enforcement | PR–F | C | –0– | –0– |
| (n) | Federal aid, local assistance | PR–F | C | –0– | –0– |
| (r) | Gaming law enforcement; lottery revenues | SEG | A | 226,000 | 226,700 |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 14,531,200 | 14,573,000 |
| PROGRAM REVENUE | 19,951,400 | 19,840,400 |
| FEDERAL | (655,700) | (655,700) |
| OTHER | (13,816,000) | (14,374,900) |
| SERVICE | (5,479,700) | (4,809,800) |
| SEGREGATED FUNDS | 226,000 | 226,700 |
| OTHER | (226,000) | (226,700) |
| TOTAL–ALL SOURCES | 34,708,600 | 34,640,100 |

(3) ADMINISTRATIVE SERVICES

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 4,080,700 | 4,080,700 |
| (g) | Gifts, grants and proceeds | PR | C | 89,900 | 89,900 |
| (k) | Interagency and intra–agency assistance | PR–S | A | –0– | –0– |
| (m) | Federal aid, state operations | PR–F | C | –0– | –0– |
| (pz) | Indirect cost reimbursements | PR–F | C | 80,600 | 80,600 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 4,080,700 | 4,080,700 |
| PROGRAM REVENUE | 170,500 | 170,500 |
| FEDERAL | (80,600) | (80,600) |
| OTHER | (89,900) | (89,900) |
| SERVICE | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 4,251,200 | 4,251,200 |

(5) VICTIMS AND WITNESSES

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 866,000 | 869,900 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (b) | Awards for victims of crimes | GPR | A | 1,324,200 | 1,324,200 |
| (c) | Reimbursement for victim and witness services | GPR | A | 1,497,100 | 1,497,100 |
| (g) | Crime victim and witness assistance surcharge, general services | PR | A | 2,080,900 | 2,152,300 |
| (gc) | Crime victim and witness surcharge, sexual assault victim services | PR | C | 1,500,000 | 2,000,000 |
| (h) | Crime victim compensation services | PR | A | 38,900 | 38,900 |
| (i) | Victim compensation, inmate payments | PR | C | –0– | –0– |
| (k) | Interagency and intra–agency assistance; reimbursement to counties | PR–S | A | 961,700 | 961,700 |
| (kj) | Victim payments, victim surcharge | PR–S | A | 488,800 | 488,800 |
| (kk) | Reimbursement to counties for providing victim and witness services | PR–S | C | –0– | –0– |
| (kp) | Reimbursement to counties for victim–witness services | PR–S | A | 660,800 | 773,000 |
| (m) | Federal aid; victim compensation | PR–F | C | 643,900 | 643,900 |
| (ma) | Federal aid, state operations | PR–F | C | 92,700 | 123,600 |
| (mh) | Federal aid; victim assistance | PR–F | C | 4,642,100 | 4,020,700 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (5) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 3,687,300 | 3,691,200 |
| PROGRAM REVENUE | | | 11,109,800 | 11,202,900 |
| FEDERAL | | | (5,378,700) | (4,788,200) |
| OTHER | | | (3,619,800) | (4,191,200) |
| SERVICE | | | (2,111,300) | (2,223,500) |
| TOTAL–ALL SOURCES | | | 14,797,100 | 14,894,100 |
| 20.455 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 36,936,800 | 37,001,100 |
| PROGRAM REVENUE | | | 32,772,400 | 32,751,100 |
| FEDERAL | | | (6,724,500) | (6,130,500) |
| OTHER | | | (17,711,200) | (18,841,500) |
| SERVICE | | | (8,336,700) | (7,779,100) |
| SEGREGATED FUNDS | | | 226,000 | 226,700 |
| OTHER | | | (226,000) | (226,700) |
| TOTAL–ALL SOURCES | | | 69,935,200 | 69,978,900 |
| **20.465 Military affairs, department of** | | | | |
| (1) NATIONAL GUARD OPERATIONS | | | | |
| (a) General program operations | GPR | A | 4,689,600 | 4,694,800 |
| (b) Repair and maintenance | GPR | A | 650,400 | 650,400 |
| (c) Public emergencies | GPR | S | 48,500 | 48,500 |
| (d) Principal repayment and interest | GPR | S | 3,092,900 | 2,977,100 |
| (e) State service flags | GPR | A | 400 | 400 |
| (f) Energy costs | GPR | A | 1,518,800 | 1,518,800 |
| (g) Military property | PR | A | 396,600 | 396,600 |
| (h) Intergovernmental services | PR | A | 194,900 | 194,900 |
| (k) Armory store operations | PR–S | A | 237,600 | 237,600 |
| (km) Agency services | PR–S | A | 68,300 | 68,300 |
| (Li) Gifts and grants | PR | C | –0– | –0– |
| (m) Federal aid | PR–F | C | 16,474,500 | 16,474,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| 1 | (pz) Indirect cost reimbursements | PR–F | C | 454,200 | 454,200 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 10,000,600 | 9,890,000 |
| | PROGRAM REVENUE | | | 17,826,100 | 17,826,100 |
| | FEDERAL | | | (16,928,700) | (16,928,700) |
| | OTHER | | | (591,500) | (591,500) |
| | SERVICE | | | (305,900) | (305,900) |
| | TOTAL–ALL SOURCES | | | 27,826,700 | 27,716,100 |
| 2 | (2) GUARD MEMBERS' BENEFITS | | | | |
| 3 | (a) Tuition grants | GPR | A | 3,589,400 | 3,589,400 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 3,589,400 | 3,589,400 |
| | TOTAL–ALL SOURCES | | | 3,589,400 | 3,589,400 |
| 4 | (3) EMERGENCY MANAGEMENT SERVICES | | | | |
| 5 | (a) General program operations | GPR | A | 557,000 | 557,000 |
| 6 | (c) Helicopter support services | GPR | A | 150,000 | 150,000 |
| 7 | (dd) Regional emergency response | | | | |
| 8 | teams | GPR | A | 1,577,400 | 1,400,000 |
| 9 | (dh) Hazardous substance emergency | | | | |
| 10 | response; administration | GPR | A | 91,100 | 91,100 |
| 11 | (dp) Emergency response equipment | GPR | A | 568,000 | 568,000 |
| 12 | (dr) Emergency response supplement | GPR | C | –0– | –0– |
| 13 | (dt) Emergency response training | GPR | B | 64,900 | 64,900 |
| 14 | (e) Disaster recovery aid | GPR | S | 1,035,100 | 888,100 |
| 15 | (f) Civil air patrol aids | GPR | A | 19,000 | 19,000 |
| 16 | (g) Program services | PR | A | 1,050,700 | 1,043,700 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (i) Emergency planning and reporting; administration | PR | A | 744,300 | 765,200 |
| (j) Division of emergency management; gifts and grants | PR | C | –0– | –0– |
| (jm) Division of emergency management; emergency planning grants | PR | C | 834,700 | 834,700 |
| (jt) Regional emergency response reimbursement | PR | C | –0– | –0– |
| (m) Federal aid, state operations | PR–F | C | 1,300,600 | 1,269,800 |
| (n) Federal aid, local assistance | PR–F | C | 7,387,000 | 7,387,000 |
| (o) Federal aid, individuals and organizations | PR–F | C | 1,348,600 | 1,348,600 |
| (r) Division of emergency management; petroleum inspection fund | SEG | A | 465,700 | 465,700 |
| (t) Emergency response training – environmental fund | SEG | B | 1,700 | 10,500 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 4,062,500 | 3,738,100 |
| PROGRAM REVENUE | 12,665,900 | 12,649,000 |
| FEDERAL | (10,036,200) | (10,005,400) |
| OTHER | (2,629,700) | (2,643,600) |
| SEGREGATED FUNDS | 467,400 | 476,200 |
| OTHER | (467,400) | (476,200) |
| TOTAL–ALL SOURCES | 17,195,800 | 16,863,300 |

(4) NATIONAL GUARD YOUTH PROGRAMS

| | | | | |
|---|---|---|---|---|
| (b) Badger challenge program | GPR | A | 299,400 | 249,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (c) | Youth challenge program | GPR | A | 843,700 | 983,700 |
| (g) | Program fees | PR | C | –0– | –0– |
| (h) | Gifts, grants and contributions | PR | C | –0– | –0– |
| (k) | Interagency assistance; badger challenge program | PR–S | C | 33,300 | 83,200 |
| (m) | Federal aid – youth programs | PR–F | C | 1,971,000 | 1,831,000 |

(4) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,143,100 | 1,233,200 |
| PROGRAM REVENUE | 2,004,300 | 1,914,200 |
| FEDERAL | (1,971,000) | (1,831,000) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (33,300) | (83,200) |
| TOTAL–ALL SOURCES | 3,147,400 | 3,147,400 |

20.465 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 18,795,600 | 18,450,700 |
| PROGRAM REVENUE | 32,496,300 | 32,389,300 |
| FEDERAL | (28,935,900) | (28,765,100) |
| OTHER | (3,221,200) | (3,235,100) |
| SERVICE | (339,200) | (389,100) |
| SEGREGATED FUNDS | 467,400 | 476,200 |
| OTHER | (467,400) | (476,200) |
| TOTAL–ALL SOURCES | 51,759,300 | 51,316,200 |

**20.475 District attorneys**

(1) DISTRICT ATTORNEYS

| | | | | | |
|---|---|---|---|---|---|
| (d) | Salaries and fringe benefits | GPR | A | 33,343,200 | 33,600,400 |
| (f) | Firearm prosecution costs; firearm law media campaign | GPR | A | 153,300 | 124,400 |
| (h) | Gifts and grants | PR | C | 1,163,000 | 1,163,000 |
| (i) | Other employes | PR | A | 169,600 | 174,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (k) | Interagency and intra–agency assistance | PR–S | C | 96,400 | –0– |
| (m) | Federal aid | PR–F | C | –0– | –0– |

20.475 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 33,496,500 | 33,724,800 |
| PROGRAM REVENUE | 1,429,000 | 1,337,700 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (1,332,600) | (1,337,700) |
| SERVICE | (96,400) | (–0–) |
| TOTAL–ALL SOURCES | 34,925,500 | 35,062,500 |

**20.485 Veterans affairs, department of**

(1) HOMES FOR VETERANS

| | | | | | |
|---|---|---|---|---|---|
| (b) | General fund supplement to institutional operations | GPR | B | –0– | –0– |
| (d) | Cemetery maintenance and beautification | GPR | A | 24,900 | 24,900 |
| (e) | Lease rental payments | GPR | S | –0– | –0– |
| (f) | Principal repayment and interest | GPR | S | 1,551,000 | 1,526,000 |
| (g) | Home exchange | PR | A | 236,900 | 248,800 |
| (gd) | Veterans home cemetery operations | PR | C | 4,500 | 4,500 |
| (gk) | Institutional operations | PR | A | 36,159,600 | 36,277,500 |
| (go) | Self–amortizing housing facilities; principal repayment and interest | PR | S | –0– | 56,700 |
| (h) | Gifts and bequests | PR | C | 214,700 | 214,700 |
| (hm) | Gifts and grants | PR | C | –0– | –0– |
| (i) | State–owned housing maintenance | PR | A | 65,700 | 65,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (j) | Geriatric program receipts | PR | C | 112,400 | 112,400 |
| (m) | Federal aid; care at veterans home | PR–F | C | –0– | –0– |
| (mj) | Federal aid; geriatric unit | PR–F | C | –0– | –0– |
| (mn) | Federal projects | PR–F | C | 12,500 | 12,500 |
| (t) | Veterans home member accounts | SEG | C | –0– | –0– |
| (u) | Rentals; improvements; equipment; land acquisition | SEG | A | –0– | –0– |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,575,900 | 1,550,900 |
| PROGRAM REVENUE | 36,806,300 | 36,992,800 |
| FEDERAL | (12,500) | (12,500) |
| OTHER | (36,793,800) | (36,980,300) |
| SEGREGATED FUNDS | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 38,382,200 | 38,543,700 |

(2) LOANS AND AIDS TO VETERANS

| | | | | | |
|---|---|---|---|---|---|
| (b) | Wisconsin veterans museum space rental | GPR | A | 411,700 | 471,100 |
| (c) | Operation of Wisconsin veterans museum | GPR | A | 656,500 | 478,000 |
| (d) | Veterans memorials at The Highground | GPR | C | –0– | –0– |
| (db) | General fund supplement to veterans trust fund | GPR | A | –0– | –0– |
| (dm) | World War II memorial | GPR | C | 166,100 | –0– |
| (e) | Veterans memorial grants | GPR | C | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (em) | Payments related to The Highground | GPR | C | –0– | –0– |
| (g) | Consumer reporting agency fees | PR | C | –0– | –0– |
| (gd) | Gifts | PR | C | –0– | –0– |
| (kg) | American Indian services coordinator | PR–S | A | 51,900 | 58,000 |
| (km) | American Indian grants | PR–S | A | 27,500 | 27,500 |
| (m) | Federal aid projects | PR–F | C | 187,000 | 183,000 |
| (mn) | Federal projects; museum acquisitions and operations | PR–F | C | –0– | –0– |
| (rm) | Veterans assistance program | SEG | B | 1,365,700 | 1,454,300 |
| (rp) | Veterans assistance program receipts | SEG | A | 80,000 | 80,000 |
| (tf) | Veterans' tuition and fee reimbursement program | SEG | A | 1,477,500 | 1,551,400 |
| (th) | Correspondence courses and part–time classroom study | SEG | A | 395,900 | 415,600 |
| (tj) | Retraining grant program | SEG | A | 288,000 | 288,000 |
| (tm) | Facilities | SEG | C | –0– | –0– |
| (u) | Administration of loans and aids to veterans | SEG | A | 3,255,700 | 2,952,800 |
| (v) | Wisconsin veterans museum sales receipts | SEG | C | 154,200 | 154,200 |
| (vg) | Health care aid grants | SEG | A | 1,200,000 | 1,200,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (vm) | Subsistence grants | SEG | A | 276,000 | 300,600 |
| (vo) | Veterans of World War I | SEG | A | 2,500 | 2,500 |
| (vw) | Payments to veterans organizations for claims service | SEG | A | 75,000 | 75,000 |
| (vx) | County grants | SEG | A | 299,200 | 296,000 |
| (w) | Home for needy veterans | SEG | C | 10,000 | 10,000 |
| (wd) | Operation of Wisconsin veterans museum | SEG | A | 363,800 | 390,500 |
| (x) | Federal per diem payments | SEG–F | A | 304,900 | 295,000 |
| (yg) | Acquisition of 1981 revenue bond mortgages | SEG | S | –0– | –0– |
| (yn) | Veterans trust fund loans and expenses | SEG | B | 15,450,000 | 15,450,000 |
| (yo) | Debt payment | SEG | S | 177,000 | 1,263,300 |
| (z) | Gifts | SEG | C | –0– | –0– |
| (zm) | Museum gifts and bequests | SEG | C | –0– | –0– |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,234,300 | 949,100 |
| PROGRAM REVENUE | 266,400 | 268,500 |
| FEDERAL | (187,000) | (183,000) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (79,400) | (85,500) |
| SEGREGATED FUNDS | 25,175,400 | 26,179,200 |
| FEDERAL | (304,900) | (295,000) |
| OTHER | (24,870,500) | (25,884,200) |
| TOTAL–ALL SOURCES | 26,676,100 | 27,396,800 |

(3) SELF–AMORTIZING MORTGAGE LOANS FOR VETERANS

| | | | | | |
|---|---|---|---|---|---|
| (b) | Self insurance | GPR | S | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (e) | General program deficiency | GPR | S | –0– | –0– |
| (q) | Foreclosure loss payments | SEG | C | 801,000 | 801,000 |
| (r) | Funded reserves | SEG | C | 50,000 | 50,000 |
| (rm) | Other reserves | SEG | C | –0– | –0– |
| (s) | General program operations | SEG | A | 4,526,400 | 4,218,900 |
| (sm) | County grants | SEG | A | 448,800 | 444,000 |
| (t) | Debt service | SEG | C | 71,080,000 | 76,633,900 |
| (v) | Revenue obligation repayment | SEG | C | –0– | –0– |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | –0– | –0– |
| | SEGREGATED FUNDS | | | 76,906,200 | 82,147,800 |
| | OTHER | | | (76,906,200) | (82,147,800) |
| | TOTAL–ALL SOURCES | | | 76,906,200 | 82,147,800 |
| (4) | VETERANS MEMORIAL CEMETERIES | | | | |
| (g) | Cemetery operations | PR | A | 84,400 | 87,700 |
| (h) | Gifts, grants and bequests | PR | C | –0– | –0– |
| (m) | Federal aid; cemetery operations and burials | PR–F | C | 26,700 | 44,900 |
| (q) | Cemetery administration and maintenance | SEG | A | 699,600 | 553,300 |
| (qm) | Repayment of principal and interest | SEG | S | 10,800 | 10,700 |
| (r) | Cemetery energy costs | SEG | A | 11,800 | 21,800 |
| | (4) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 111,100 | 132,600 |
| | FEDERAL | | | (26,700) | (44,900) |
| | OTHER | | | (84,400) | (87,700) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| SEGREGATED FUNDS | | | 722,200 | 585,800 |
| OTHER | | | (722,200) | (585,800) |
| TOTAL–ALL SOURCES | | | 833,300 | 718,400 |
| (5) EDUCATIONAL APPROVAL BOARD | | | | |
| (g) Proprietary school programs | PR–S | A | 366,300 | 368,300 |
| (m) Federal aid | PR–F | C | 263,000 | 265,000 |
| (5) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | 629,300 | 633,300 |
| FEDERAL | | | (263,000) | (265,000) |
| SERVICE | | | (366,300) | (368,300) |
| TOTAL–ALL SOURCES | | | 629,300 | 633,300 |
| 20.485 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,810,200 | 2,500,000 |
| PROGRAM REVENUE | | | 37,813,100 | 38,027,200 |
| FEDERAL | | | (489,200) | (505,400) |
| OTHER | | | (36,878,200) | (37,068,000) |
| SERVICE | | | (445,700) | (453,800) |
| SEGREGATED FUNDS | | | 102,803,800 | 108,912,800 |
| FEDERAL | | | (304,900) | (295,000) |
| OTHER | | | (102,498,900) | (108,617,800) |
| TOTAL–ALL SOURCES | | | 143,427,100 | 149,440,000 |
| **20.490 Wisconsin housing and economic development authority** | | | | |
| (1) FACILITATION OF CONSTRUCTION | | | | |
| (a) Capital reserve fund deficiency | GPR | C | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (2) HOUSING REHABILITATION LOAN PROGRAM | | | | |
| (a) General program operations | GPR | C | –0– | –0– |
| (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 | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE | | | | |
| (g) Disadvantaged business mobilization loan guarantee | PR | C | –0– | –0– |
| (4) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (5) WISCONSIN DEVELOPMENT LOAN GUARANTEES | | | | |
| (a) Wisconsin development reserve fund | GPR | C | –0– | –0– |
| (q) Recycling fund transfer to Wisconsin development reserve fund | SEG | C | –0– | –0– |
| (r) Agrichemical management fund transfer to Wisconsin development reserve fd. | SEG | C | –0– | –0– |
| (s) Petroleum inspection fund transfer to WDRF | SEG | A | –0– | –0– |
| (5) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| SEGREGATED FUNDS | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (6) WISCONSIN JOB TRAINING LOAN GUARANTEES | | | | |
| (a) Wisconsin job training reserve fund | GPR | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (k) Department of commerce appropriation transfer to Wisconsin job training | PR–S | C | –0– | –0– |
| (6) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| PROGRAM REVENUE | | | –0– | –0– |
| SERVICE | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| 20.490 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| PROGRAM REVENUE | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| SERVICE | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| **20.495 University of Wisconsin hospitals and clinics board** | | | | |
| (1) CONTRACTUAL SERVICES | | | | |
| (g) General program operations | PR | C | 61,962,900 | 64,427,400 |
| 20.495 DEPARTMENT TOTALS | | | | |
| PROGRAM REVENUE | | | 61,962,900 | 64,427,400 |
| OTHER | | | (61,962,900) | (64,427,400) |
| TOTAL–ALL SOURCES | | | 61,962,900 | 64,427,400 |
| Human Relations and Resources FUNCTIONAL AREA TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,723,507,300 | 2,765,754,800 |
| PROGRAM REVENUE | | | 3,647,596,700 | 3,818,144,600 |
| FEDERAL | | | (2,846,638,700) | (3,002,665,700) |
| OTHER | | | (433,590,100) | (448,321,500) |
| SERVICE | | | (367,367,900) | (367,157,400) |
| SEGREGATED FUNDS | | | 164,950,300 | 168,688,600 |
| FEDERAL | | | (304,900) | (295,000) |
| OTHER | | | (164,645,400) | (168,393,600) |
| SERVICE | | | (–0–) | (–0–) |
| LOCAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 6,536,054,300 | 6,752,588,000 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| **General Executive Functions** | | | | | |
| **20.505 Administration, department of** | | | | | |
| (1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD | | | | | |
| (a) | General program operations | GPR | A | 9,095,400 | 9,095,400 |
| (aw) | Emergency weather warning system | GPR | A | –0– | –0– |
| (b) | Midwest interstate low–level radioactive waste compact; loan from gen. fund | GPR | C | –0– | –0– |
| (c) | Salaries, fringe benefits, supplies and services for certain employes | GPR | A | –0– | –0– |
| (f) | Badger state games assistance | GPR | A | 50,000 | 50,000 |
| (fm) | National community service board; Wisconsin promise challenge grants | GPR | C | –0– | –0– |
| (fo) | Federal resource acquisition support grants | GPR | A | 100,000 | –0– |
| (g) | Midwest interstate low–level radioactive waste compact; membership & costs | PR | A | 60,700 | 60,700 |
| (ie) | Land information board; general program operations | PR | A | 384,400 | 384,400 |
| (ig) | Land information board; technical assistance and education | PR | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ij) | Land information board; aids to counties | PR | C | 1,384,000 | 1,384,000 |
| (ik) | Land information board; soil surveys and mapping | PR | A | 415,000 | 415,000 |
| (im) | Services to nonstate governmental units | PR | A | 1,339,800 | 1,339,800 |
| (is) | Information technology processing svcs to nonstate entities & state schools | PR | C | –0– | –0– |
| (iu) | Plat review | PR | C | 347,900 | 347,900 |
| (j) | Gifts and donations | PR | C | –0– | –0– |
| (ja) | Justice information systems | PR | A | 3,919,700 | 1,300,000 |
| (ka) | Materials and services to state agencies and certain districts | PR–S | A | 5,097,800 | 5,097,800 |
| (kb) | Transportation services | PR–S | A | 16,428,700 | 16,827,600 |
| (kc) | Capital planning and building construction services | PR–S | A | 10,457,400 | 10,515,600 |
| (kd) | Printing, document sales, mail distribution and record services | PR–S | A | 18,471,400 | 19,001,200 |
| (ke) | Telecommunications and data processing services | PR–S | A | 37,170,000 | 37,170,000 |
| (kh) | Comprehensive planning grants; state agency support | PR–S | A | 1,430,000 | 1,288,200 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (ki) | Comprehensive planning; administrative support | PR–S | A | 50,000 | 50,000 |
| (kj) | Financial services | PR–S | A | 9,994,700 | 9,228,500 |
| (kL) | Information technology processing services to agencies | PR–S | C | 49,158,200 | 49,158,200 |
| (kp) | Interagency assistance; justice information systems | PR–S | A | 729,800 | 2,024,100 |
| (kq) | Justice information systems development, operation and maintenance | PR–S | A | –0– | 1,200,000 |
| (kr) | Information technology development and management services | PR–S | A | –0– | –0– |
| (ks) | Wisconsin land council; state agency support | PR–S | C | 311,400 | 311,400 |
| (kt) | Land information board; soil surveys and mapping; state agency support | PR–S | C | 265,200 | 265,200 |
| (ku) | Management assistance grants to counties | PR–S | A | –0– | –0– |
| (kv) | Public broadcasting corporation grant | PR | C | –0– | –0– |
| (ma) | Federal grants and contracts | PR–F | C | 43,100 | 43,100 |
| (mb) | Federal energy grants and contracts | PR–F | C | 981,300 | 981,300 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (mc) | Coastal zone management | PR–F | C | 1,143,000 | 1,143,000 |
| (md) | Oil overcharge restitution funds | PR–F | C | 6,887,100 | 6,887,100 |
| (n) | Federal aid; local assistance | PR–F | C | –0– | –0– |
| (pz) | Indirect cost reimbursements | PR–F | C | 161,400 | 161,400 |
| (r) | VendorNet fund administration | SEG | A | 90,200 | 90,200 |
| (v) | General program operations — environmental improvement programs; state funds | SEG | A | 753,300 | 753,300 |
| (x) | General program operations — clean water fund program; federal funds | SEG–F | C | –0– | –0– |
| (y) | General program operations — safe drinking water loan program; federal funds | SEG–F | C | –0– | –0– |
| (z) | Planning grants to local governmental units | SEG–S | A | 1,000,000 | 1,000,000 |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 9,245,400 | 9,145,400 |
| PROGRAM REVENUE | 166,632,000 | 166,585,500 |
| FEDERAL | (9,215,900) | (9,215,900) |
| OTHER | (7,851,500) | (5,231,800) |
| SERVICE | (149,564,600) | (152,137,800) |
| SEGREGATED FUNDS | 1,843,500 | 1,843,500 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (843,500) | (843,500) |
| SERVICE | (1,000,000) | (1,000,000) |
| TOTAL–ALL SOURCES | 177,720,900 | 177,574,400 |

(2) RISK MANAGEMENT

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (a) | General fund supplement — risk management claims | GPR | S | –0– | –0– |
| (k) | Risk management costs | PR–S | C | 19,900,000 | 20,400,000 |
| (ki) | Risk management administration | PR–S | A | 4,627,500 | 4,627,500 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | –0– | –0– |
| | PROGRAM REVENUE | | | 24,527,500 | 25,027,500 |
| | SERVICE | | | (24,527,500) | (25,027,500) |
| | TOTAL–ALL SOURCES | | | 24,527,500 | 25,027,500 |
| (3) | COMMITTEES AND INTERSTATE BODIES | | | | |
| (a) | General program operations | GPR | A | 359,800 | 359,800 |
| (b) | Women's council operations | GPR | A | 87,300 | 87,300 |
| (c) | Criminal penalties study committee | GPR | B | –0– | –0– |
| (g) | Gifts and grants | PR | C | –0– | –0– |
| (h) | Program fees | PR | A | 6,100 | 6,100 |
| (j) | Contributions to boys and girls clubs of Wisconsin | PR | C | –0– | –0– |
| (m) | Federal aid | PR–F | C | –0– | –0– |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 447,100 | 447,100 |
| | PROGRAM REVENUE | | | 6,100 | 6,100 |
| | FEDERAL | | | (–0–) | (–0–) |
| | OTHER | | | (6,100) | (6,100) |
| | TOTAL–ALL SOURCES | | | 453,200 | 453,200 |
| (4) | ATTACHED DIVISIONS, BOARDS, COUNCILS AND COMMISSIONS | | | | |
| (a) | Adjudication of tax appeals | GPR | A | 586,300 | 593,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (b) | Adjudication of equalization appeals | GPR | S | –0– | –0– |
| (c) | Claims board; general program operations | GPR | A | 46,600 | 46,600 |
| (d) | Claims awards | GPR | S | 25,000 | 25,000 |
| (f) | Hearings and appeals operations | GPR | A | 2,017,500 | 2,037,700 |
| (gm) | Gifts and grants | PR | C | –0– | –0– |
| (h) | Program services | PR | A | 26,000 | 26,000 |
| (is) | Relay service | PR | A | 5,007,200 | 5,007,200 |
| (k) | Waste facility siting board; general program operations | PR–S | A | 121,600 | 121,600 |
| (ka) | State use board — general program operations | PR–S | A | 140,500 | 140,500 |
| (kp) | Hearings and appeals fees | PR–S | A | 1,923,500 | 1,937,200 |
| (r) | State capitol and executive residence board; gifts and grants | SEG | C | –0– | –0– |

(4) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 2,675,400 | 2,702,300 |
| PROGRAM REVENUE | 7,218,800 | 7,232,500 |
| OTHER | (5,033,200) | (5,033,200) |
| SERVICE | (2,185,600) | (2,199,300) |
| SEGREGATED FUNDS | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 9,894,200 | 9,934,800 |

(5) FACILITIES MANAGEMENT

| | | | | | |
|---|---|---|---|---|---|
| (c) | Principal repayment and interest; Black Point Estate | GPR | S | 21,700 | 135,100 |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (d) | Prin repymt & int for former educ comm bd & cert grnts made for dig tv conv | GPR | S | –0– | –0– |
| (g) | Principal repayment, interest and rebates; parking | PR–S | S | 1,251,800 | 1,255,200 |
| (h) | Lease payments for educational broadcasting facilities | PR | C | –0– | –0– |
| (i) | Emergency weather warning system operation | PR | A | –0– | –0– |
| (ka) | Facility operations and maintenance; police and protection functions | PR–S | A | 29,894,200 | 30,153,000 |
| (kb) | Parking | PR | A | 706,900 | 714,900 |
| (kc) | Principal repayment, interest and rebates | PR–S | C | 9,509,600 | 9,122,500 |
| (q) | Energy efficiency | SEG | S | –0– | –0– |

(5) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 21,700 | 135,100 |
| PROGRAM REVENUE | 41,362,500 | 41,245,600 |
| OTHER | (706,900) | (714,900) |
| SERVICE | (40,655,600) | (40,530,700) |
| SEGREGATED FUNDS | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 41,384,200 | 41,380,700 |

(6) OFFICE OF JUSTICE ASSISTANCE

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 330,300 | 334,200 |
| (c) | Law enforcement officer supplement grants | GPR | A | 1,000,000 | 1,000,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (i) | Gifts and grants | PR | C | –0– | –0– |
| (j) | Penalty assessment surcharge receipts | PR | C | –0– | –0– |
| (k) | Anti–drug enforcement program — administration | PR–S | A | 135,600 | 135,600 |
| (kp) | Anti–drug enforcement program, penalty assessment – local | PR–S | A | 1,183,100 | 1,184,200 |
| (kq) | County law enforcement services | PR | A | 250,000 | 250,000 |
| (ks) | Tribal law enforcement assistance | PR–S | A | 525,000 | 925,000 |
| (kt) | Anti–drug enforcement program, penalty assessment – state | PR–S | A | 996,900 | 1,294,200 |
| (m) | Federal aid, planning and administration, state operations | PR–F | C | 350,700 | 352,800 |
| (o) | Federal aid, criminal justice improvement projects, state operations | PR–F | C | 4,037,200 | 2,608,700 |
| (p) | Federal aid, criminal justice improvement projects, local assistance | PR–F | C | 3,357,100 | 2,834,600 |
| (pa) | Federal aid, criminal justice improvement projects, aid to organizations | PR–F | C | 1,429,500 | 1,458,500 |
| (pb) | Federal aid, anti–drug enforcement program, aids and local assistance | PR–F | C | 5,742,500 | 5,741,400 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (pc) | Federal aid, anti–drug enforcement program, state operations | PR–F | C | 3,737,000 | 4,630,700 |

(6) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 1,330,300 | 1,334,200 |
| PROGRAM REVENUE | 21,744,600 | 21,415,700 |
| FEDERAL | (18,654,000) | (17,626,700) |
| OTHER | (250,000) | (250,000) |
| SERVICE | (2,840,600) | (3,539,000) |
| TOTAL–ALL SOURCES | 23,074,900 | 22,749,900 |

(7) HOUSING ASSISTANCE

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 922,900 | 922,900 |
| (b) | Housing grants and loans | GPR | B | 2,800,300 | 2,800,300 |
| (c) | Payments to designated agents | GPR | A | –0– | –0– |
| (d) | Grants to local housing organizations | GPR | B | 500,000 | 500,000 |
| (dm) | Transitional housing grants | GPR | A | 375,000 | 375,000 |
| (fm) | Shelter for homeless and transitional housing | GPR | A | 1,131,000 | 1,131,000 |
| (g) | Gifts and grants | PR | C | –0– | –0– |
| (gm) | Funding for the homeless | PR | C | –0– | –0– |
| (h) | Interest on real estate trust accounts | PR | C | –0– | –0– |
| (jf) | Mobile home parks, dealers and salespersons | PR | A | 142,300 | –0– |
| (k) | Sale of materials or services | PR–S | C | –0– | –0– |
| (kg) | Housing program services | PR–S | C | 6,702,600 | 6,702,600 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (km) Weatherization assistance | PR–S | C | 10,000,000 | 10,000,000 |
| (m) Federal aid; state operations | PR–F | C | 4,111,500 | 4,111,500 |
| (n) Federal aid; local assistance | PR–F | C | 1,777,000 | 1,777,000 |
| (o) Federal aid; individuals and organizations | PR–F | C | 72,269,300 | 72,269,300 |
| (7) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 5,729,200 | 5,729,200 |
| PROGRAM REVENUE | | | 95,002,700 | 94,860,400 |
| FEDERAL | | | (78,157,800) | (78,157,800) |
| OTHER | | | (142,300) | (–0–) |
| SERVICE | | | (16,702,600) | (16,702,600) |
| TOTAL–ALL SOURCES | | | 100,731,900 | 100,589,600 |
| (8) DIVISION OF GAMING | | | | |
| (g) General program operations; racing | PR | A | 2,141,200 | 2,141,200 |
| (h) General program operations; Indian gaming | PR | A | 2,080,200 | 1,320,700 |
| (hm) Indian gaming receipts | PR | C | –0– | –0– |
| (i) County fair association grants | PR | C | 50,000 | 50,000 |
| (j) General program operations; charitable and crane games | PR | A | 419,400 | 419,400 |
| (8) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | 4,690,800 | 3,931,300 |
| OTHER | | | (4,690,800) | (3,931,300) |
| TOTAL–ALL SOURCES | | | 4,690,800 | 3,931,300 |
| 20.505 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 19,449,100 | 19,493,300 |
| PROGRAM REVENUE | | | 361,185,000 | 360,304,600 |
| FEDERAL | | | (106,027,700) | (105,000,400) |
| OTHER | | | (18,680,800) | (15,167,300) |
| SERVICE | | | (236,476,500) | (240,136,900) |
| SEGREGATED FUNDS | | | 1,843,500 | 1,843,500 |
| FEDERAL | | | (–0–) | (–0–) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (843,500) | (843,500) |
| SERVICE | | | (1,000,000) | (1,000,000) |
| TOTAL–ALL SOURCES | | | 382,477,600 | 381,641,400 |

**20.506 Public broadcasting transitional board**

(1) PUBLIC BROADCASTING TRANSITIONAL BOARD

| | | | | |
|---|---|---|---|---|
| (a) Transitional services | GPR | C | 50,000 | –0– |

20.506 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 50,000 | –0– |
| TOTAL–ALL SOURCES | 50,000 | –0– |

**20.507 Board of commissioners of public lands**

(1) TRUST LANDS AND INVESTMENTS

| | | | | |
|---|---|---|---|---|
| (h) Trust lands and investments – general program operations | PR–S | A | 1,126,300 | 1,154,500 |
| (j) Payments to American Indian tribes or bands for raised sunken logs | PR | C | –0– | –0– |
| (k) Trust lands and investments – interagency and intra–agency assistance | PR–S | A | –0– | –0– |
| (mg) Federal aid — flood control | PR–F | C | 52,700 | 52,700 |

20.507 DEPARTMENT TOTALS

| | | |
|---|---|---|
| PROGRAM REVENUE | 1,179,000 | 1,207,200 |
| FEDERAL | (52,700) | (52,700) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (1,126,300) | (1,154,500) |
| TOTAL–ALL SOURCES | 1,179,000 | 1,207,200 |

**20.510 Elections board**

(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (a) | General program operations; general purpose revenue | GPR | B | 867,500 | 868,400 |
| (g) | Recount fees | PR | C | –0– | –0– |
| (h) | Materials and services | PR | A | 15,000 | 15,000 |
| (i) | General program operations; program revenue | PR | A | 27,200 | 27,200 |
| (j) | Electronic filing software | PR | C | –0– | –0– |
| (q) | Wisconsin election campaign fund | SEG | C | 100,000 | 700,000 |

20.510 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 867,500 | 868,400 |
| PROGRAM REVENUE | 42,200 | 42,200 |
| OTHER | (42,200) | (42,200) |
| SEGREGATED FUNDS | 100,000 | 700,000 |
| OTHER | (100,000) | (700,000) |
| TOTAL–ALL SOURCES | 1,009,700 | 1,610,600 |

**20.512 Employment relations, department of**

(1) EMPLOYMENT RELATIONS

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 5,713,000 | 5,687,400 |
| (i) | Services to nonstate governmental units | PR | A | 161,400 | 161,400 |
| (j) | Gifts and donations | PR | C | –0– | –0– |
| (jm) | Employment of aid recipients | PR | A | 189,800 | 191,400 |
| (k) | Funds received from other state agencies | PR–S | C | 16,000 | 16,000 |
| (ka) | Publications | PR–S | A | 169,300 | 183,300 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (km) Collective bargaining grievance arbitrations | PR–S | A | 85,200 | 85,200 |
| (m) Federal grants and contracts | PR–F | C | –0– | –0– |
| (pz) Indirect cost reimbursements | PR–F | C | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 5,713,000 | 5,687,400 |
| PROGRAM REVENUE | | | 621,700 | 637,300 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (351,200) | (352,800) |
| SERVICE | | | (270,500) | (284,500) |
| TOTAL–ALL SOURCES | | | 6,334,700 | 6,324,700 |
| (2) AFFIRMATIVE ACTION COUNCIL | | | | |
| (a) General program operations | GPR | A | –0– | –0– |
| (j) Gifts and donations | PR | C | –0– | –0– |
| (m) Federal grants and contracts | PR–F | C | –0– | –0– |
| (2) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| PROGRAM REVENUE | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| 20.512 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 5,713,000 | 5,687,400 |
| PROGRAM REVENUE | | | 621,700 | 637,300 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (351,200) | (352,800) |
| SERVICE | | | (270,500) | (284,500) |
| TOTAL–ALL SOURCES | | | 6,334,700 | 6,324,700 |
| **20.515 Employe trust funds, department of** | | | | |
| (1) EMPLOYE BENEFIT PLANS | | | | |
| (a) Annuity supplements and payments | GPR | S | 5,672,000 | 4,812,500 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (b) | Health insurance payments for certain retired state employees | GPR | S | –0– | –0– |
| (c) | Contingencies | GPR | S | –0– | –0– |
| (t) | Automated operating system | SEG | C | 272,000 | 272,000 |
| (u) | Employe–funded reimbursement account plan | SEG | C | –0– | –0– |
| (um) | Benefit administration | SEG | B | 5,000 | 5,000 |
| (ut) | Health insurance data collection and analysis contracts | SEG | A | 269,800 | 269,800 |
| (w) | Administration | SEG | A | 14,266,800 | 14,012,400 |

20.515 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 5,672,000 | 4,812,500 |
| SEGREGATED FUNDS | 14,813,600 | 14,559,200 |
| OTHER | (14,813,600) | (14,559,200) |
| TOTAL–ALL SOURCES | 20,485,600 | 19,371,700 |

**20.521 Ethics board**

(1) ETHICS AND LOBBYING REGULATION

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations; general purpose revenue | GPR | A | 226,700 | 226,700 |
| (g) | General program operations; program revenue | PR | A | 286,000 | 286,000 |
| (h) | Gifts and grants | PR | C | –0– | –0– |
| (i) | Materials and services | PR | A | 15,000 | 15,000 |

20.521 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 226,700 | 226,700 |
| PROGRAM REVENUE | 301,000 | 301,000 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (301,000) | (301,000) |
| TOTAL–ALL SOURCES | | | 527,700 | 527,700 |
| **20.525 Office of the governor** | | | | |
| (1) EXECUTIVE ADMINISTRATION | | | | |
| (a) General program operations | GPR | S | 2,862,000 | 2,862,000 |
| (b) Contingent fund | GPR | S | 21,700 | 21,700 |
| (c) Membership in national associations | GPR | S | 107,100 | 111,400 |
| (d) Disability board | GPR | S | –0– | –0– |
| (f) Literacy improvement aids | GPR | A | 28,000 | 28,000 |
| (i) Gifts and grants | PR | C | –0– | –0– |
| (kb) Assistance from state agencies | PR–S | C | 25,000 | 25,000 |
| (kf) Literacy improvement aids; program revenues | PR–S | A | 25,000 | 25,000 |
| (m) Federal aid | PR–F | C | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 3,018,800 | 3,023,100 |
| PROGRAM REVENUE | | | 50,000 | 50,000 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| SERVICE | | | (50,000) | (50,000) |
| TOTAL–ALL SOURCES | | | 3,068,800 | 3,073,100 |
| (2) EXECUTIVE RESIDENCE | | | | |
| (a) General program operations | GPR | S | 184,600 | 184,600 |
| (2) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 184,600 | 184,600 |
| TOTAL–ALL SOURCES | | | 184,600 | 184,600 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| 20.525 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 3,203,400 | 3,207,700 |
| PROGRAM REVENUE | | | 50,000 | 50,000 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| SERVICE | | | (50,000) | (50,000) |
| TOTAL–ALL SOURCES | | | 3,253,400 | 3,257,700 |
| **20.536 Investment board** | | | | |
| (1) INVESTMENT OF FUNDS | | | | |
| (k) General program operations | PR–S | A | 13,161,800 | 15,328,600 |
| (ka) General program operations; environmental improvement fund | PR–S | C | –0– | –0– |
| 20.536 DEPARTMENT TOTALS | | | | |
| PROGRAM REVENUE | | | 13,161,800 | 15,328,600 |
| SERVICE | | | (13,161,800) | (15,328,600) |
| TOTAL–ALL SOURCES | | | 13,161,800 | 15,328,600 |
| **20.540 Office of the lieutenant governor** | | | | |
| (1) EXECUTIVE COORDINATION | | | | |
| (a) General program operations | GPR | A | 503,100 | 503,100 |
| (g) Gifts, grants and proceeds | PR | C | –0– | –0– |
| (k) Grants from state agencies | PR–S | C | –0– | –0– |
| (m) Federal aid | PR–F | C | –0– | –0– |
| 20.540 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 503,100 | 503,100 |
| PROGRAM REVENUE | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| SERVICE | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 503,100 | 503,100 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| 1 | **20.547 Personnel commission** | | | | |
| 2 | (1) REVIEW OF PERSONNEL DECISIONS | | | | |
| 3 | (a) General program operations | GPR | A | 855,500 | 857,700 |
| 4 | (h) Publications | PR | A | 3,000 | 3,000 |
| 5 | (m) Federal aid | PR–F | C | –0– | –0– |
| | 20.547 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 855,500 | 857,700 |
| | PROGRAM REVENUE | | | 3,000 | 3,000 |
| | FEDERAL | | | (–0–) | (–0–) |
| | OTHER | | | (3,000) | (3,000) |
| | TOTAL–ALL SOURCES | | | 858,500 | 860,700 |
| 6 | **20.550 Public defender board** | | | | |
| 7 | (1) LEGAL ASSISTANCE | | | | |
| 8 | (a) Program administration | GPR | A | 1,894,400 | 2,415,400 |
| 9 | (b) Appellate representation | GPR | A | 3,850,300 | 3,851,000 |
| 10 | (c) Trial representation | GPR | A | 34,978,700 | 34,998,700 |
| 11 | (d) Private bar and investigator | | | | |
| 12 | reimbursement | GPR | B | 18,314,000 | 18,826,700 |
| 13 | (e) Private bar and investigator | | | | |
| 14 | payments; administration costs | GPR | A | 553,600 | 553,600 |
| 15 | (f) Transcript and record payments | GPR | A | 1,249,600 | 1,249,600 |
| 16 | (fb) Payments from clients; | | | | |
| 17 | administrative costs | PR | A | 130,000 | 130,000 |
| 18 | (g) Gifts and grants | PR | C | –0– | –0– |
| 19 | (h) Contractual agreements | PR–S | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (i) | Tuition payments | PR | C | –0– | –0– |
| (kj) | Conferences and training | PR–S | A | 113,300 | 113,300 |
| (L) | Private bar and inv. reimbursement; payments for legal representation | PR | C | 1,024,700 | 1,024,700 |
| (m) | Federal aid | PR–F | C | –0– | –0– |

20.550 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 60,840,600 | 61,895,000 |
| PROGRAM REVENUE | 1,268,000 | 1,268,000 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (1,154,700) | (1,154,700) |
| SERVICE | (113,300) | (113,300) |
| TOTAL–ALL SOURCES | 62,108,600 | 63,163,000 |

**20.566 Revenue, department of**

(1) COLLECTION OF TAXES

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 50,631,400 | 48,040,400 |
| (g) | Administration of county sales and use taxes | PR | A | 2,922,300 | 2,172,300 |
| (ga) | Cigarette tax stamps | PR | A | 177,800 | 177,800 |
| (gb) | Business tax registration | PR | A | 1,513,500 | 1,186,800 |
| (gd) | Administration of special district taxes | PR | A | 382,700 | 337,700 |
| (gf) | Administration of resort tax | PR | A | 18,500 | 18,500 |
| (gg) | Administration of local taxes | PR | A | 278,900 | 203,900 |
| (gm) | Administration of tax on controlled substances dealers | PR | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (h) | Debt collection | PR | A | 294,300 | 293,100 |
| (ha) | Administration of liquor tax | PR | A | 215,400 | 170,400 |
| (hm) | Collections under contracts | PR | S | 352,800 | 352,800 |
| (hp) | Administration of endangered resources voluntary payments | PR | A | 33,000 | 33,000 |
| (i) | Gifts and grants | PR | C | –0– | –0– |
| (m) | Federal funds; state operations | PR–F | C | –0– | –0– |
| (qm) | Administration of rental vehicle fee | SEG | A | 31,200 | 31,200 |
| (r) | Administration of dry cleaner fees | SEG | A | 54,800 | 54,800 |
| (s) | Petroleum inspection fee collection | SEG | A | 126,100 | 126,100 |
| (u) | Motor fuel tax administration | SEG | A | 1,097,400 | 1,097,400 |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 50,631,400 | 48,040,400 |
| PROGRAM REVENUE | 6,189,200 | 4,946,300 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (6,189,200) | (4,946,300) |
| SEGREGATED FUNDS | 1,309,500 | 1,309,500 |
| OTHER | (1,309,500) | (1,309,500) |
| TOTAL–ALL SOURCES | 58,130,100 | 54,296,200 |

(2) STATE AND LOCAL FINANCE

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 10,765,800 | 10,765,800 |
| (g) | County assessment studies | PR | C | –0– | –0– |
| (gi) | Municipal finance report compliance | PR | A | 40,300 | 40,300 |
| (h) | Reassessments | PR | A | 635,700 | 635,700 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (hi) | Wisconsin property assessment manual | PR | A | 66,900 | 66,900 |
| (i) | Gifts and grants | PR | C | –0– | –0– |
| (m) | Federal funds; state operations | PR–F | C | –0– | –0– |
| (q) | Railroad and air carrier tax administration | SEG | A | 186,800 | 186,800 |
| (r) | Lottery credit administration | SEG | A | 43,300 | 33,500 |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 10,765,800 | 10,765,800 |
| PROGRAM REVENUE | 742,900 | 742,900 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (742,900) | (742,900) |
| SEGREGATED FUNDS | 230,100 | 220,300 |
| OTHER | (230,100) | (220,300) |
| TOTAL–ALL SOURCES | 11,738,800 | 11,729,000 |

(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL

| | | | | | |
|---|---|---|---|---|---|
| (a) | General program operations | GPR | A | 15,520,100 | 15,534,000 |
| (b) | Integrated tax system technology | GPR | A | 5,736,000 | –0– |
| (c) | Expert professional services | GPR | A | 30,000 | 30,000 |
| (g) | Services | PR | A | 57,000 | 57,000 |
| (gm) | Reciprocity agreement and publications | PR | A | 201,400 | 201,400 |
| (go) | Reciprocity agreement; Illinois | PR | A | 105,000 | 50,700 |
| (i) | Gifts and grants | PR | C | –0– | –0– |
| (k) | Internal services | PR–S | A | 200,300 | 200,300 |
| (m) | Federal funds; state operations | PR–F | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (3) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 21,286,100 | 15,564,000 |
| PROGRAM REVENUE | | | 563,700 | 509,400 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (363,400) | (309,100) |
| SERVICE | | | (200,300) | (200,300) |
| TOTAL–ALL SOURCES | | | 21,849,800 | 16,073,400 |
| (7) INVESTMENT AND LOCAL IMPACT FUND | | | | |
| (e) Investment and local impact fund supplement | GPR | A | –0– | –0– |
| (g) Investment and local impact fund administrative expenses | PR | A | –0– | –0– |
| (n) Federal mining revenue | PR–F | C | –0– | –0– |
| (v) Investment and local impact fund | SEG | C | –0– | –0– |
| (7) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| PROGRAM REVENUE | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (8) LOTTERY | | | | |
| (q) General program operations | SEG | A | 21,095,800 | 21,095,800 |
| (r) Retailer compensation | SEG | S | 27,927,600 | 30,573,800 |
| (s) Prizes | SEG | S | –0– | –0– |
| (v) Vendor fees | SEG | S | 12,178,700 | 12,419,000 |
| (8) PROGRAM TOTALS | | | | |
| SEGREGATED FUNDS | | | 61,202,100 | 64,088,600 |
| OTHER | | | (61,202,100) | (64,088,600) |
| TOTAL–ALL SOURCES | | | 61,202,100 | 64,088,600 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| 20.566 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 82,683,300 | 74,370,200 |
| PROGRAM REVENUE | | | 7,495,800 | 6,198,600 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (7,295,500) | (5,998,300) |
| SERVICE | | | (200,300) | (200,300) |
| SEGREGATED FUNDS | | | 62,741,700 | 65,618,400 |
| OTHER | | | (62,741,700) | (65,618,400) |
| TOTAL–ALL SOURCES | | | 152,920,800 | 146,187,200 |

**20.575 Secretary of state**

(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES

| | | | | | |
|---|---|---|---|---|---|
| (g) | Program fees | PR | A | 622,100 | 618,900 |
| (ka) | Agency collections | PR–S | A | 4,000 | 4,000 |
| 20.575 DEPARTMENT TOTALS | | | | | |
| | PROGRAM REVENUE | | | 626,100 | 622,900 |
| | OTHER | | | (622,100) | (618,900) |
| | SERVICE | | | (4,000) | (4,000) |
| | TOTAL–ALL SOURCES | | | 626,100 | 622,900 |

**20.585 Treasurer, state**

(1) CUSTODIAN OF STATE FUNDS

| | | | | | |
|---|---|---|---|---|---|
| (b) | Insurance | GPR | A | –0– | –0– |
| (e) | Unclaimed property; contingency appropriation | GPR | S | –0– | –0– |
| (g) | Processing services | PR | A | 172,200 | 172,800 |
| (h) | Training conferences | PR | C | –0– | –0– |
| (i) | Gifts and grants | PR | C | –0– | –0– |
| (j) | Unclaimed property | PR | C | 642,800 | 804,000 |
| (jt) | Allocation – cash management | PR | A | 45,800 | 46,400 |
| (kb) | General program operations | PR–S | A | 520,000 | 522,700 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (km) Credit card use charges | PR–S | C | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| PROGRAM REVENUE | | | 1,380,800 | 1,545,900 |
| OTHER | | | (860,800) | (1,023,200) |
| SERVICE | | | (520,000) | (522,700) |
| TOTAL–ALL SOURCES | | | 1,380,800 | 1,545,900 |
| (2) COLLEGE TUITION PREPAYMENT PROGRAM | | | | |
| (a) Administrative expenses; general fund | GPR | A | 85,000 | 85,000 |
| (q) Payment of tuition | SEG | S | –0– | –0– |
| (r) Payment of refunds | SEG | S | –0– | –0– |
| (s) Administrative expenses; tuition trust fund | SEG | A | 147,000 | 150,000 |
| (2) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 85,000 | 85,000 |
| SEGREGATED FUNDS | | | 147,000 | 150,000 |
| OTHER | | | (147,000) | (150,000) |
| TOTAL–ALL SOURCES | | | 232,000 | 235,000 |
| 20.585 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 85,000 | 85,000 |
| PROGRAM REVENUE | | | 1,380,800 | 1,545,900 |
| OTHER | | | (860,800) | (1,023,200) |
| SERVICE | | | (520,000) | (522,700) |
| SEGREGATED FUNDS | | | 147,000 | 150,000 |
| OTHER | | | (147,000) | (150,000) |
| TOTAL–ALL SOURCES | | | 1,612,800 | 1,780,900 |
| General Executive Functions FUNCTIONAL AREA TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 180,149,200 | 172,007,000 |
| PROGRAM REVENUE | | | 387,314,400 | 387,509,300 |
| FEDERAL | | | (106,080,400) | (105,053,100) |
| OTHER | | | (29,311,300) | (24,661,400) |
| SERVICE | | | (251,922,700) | (257,794,800) |
| SEGREGATED FUNDS | | | 79,645,800 | 82,871,100 |
| FEDERAL | | | (–0–) | (–0–) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (78,645,800) | (81,871,100) |
| SERVICE | | | (1,000,000) | (1,000,000) |
| LOCAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 647,109,400 | 642,387,400 |

# Judicial

**20.625 Circuit courts**

(1) COURT OPERATIONS

| | | | | | |
|---|---|---|---|---|---|
| (a) | Circuit courts | GPR | S | 49,024,500 | 49,024,500 |
| (as) | Violent crime court costs | GPR | A | –0– | –0– |
| (b) | Permanent reserve judges | GPR | A | –0– | –0– |
| (c) | Court interpreter fees | GPR | A | 188,800 | 188,800 |
| (d) | Circuit court support payments | GPR | B | 16,489,600 | 16,489,600 |
| (e) | Guardian ad litem costs | GPR | A | 4,738,500 | 4,738,500 |
| (m) | Federal aid | PR–F | C | –0– | –0– |

(1) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 70,441,400 | 70,441,400 |
| PROGRAM REVENUE | –0– | –0– |
| FEDERAL | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 70,441,400 | 70,441,400 |

(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES

| | | | | | |
|---|---|---|---|---|---|
| (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 | 70,441,400 | 70,441,400 |
| PROGRAM REVENUE | –0– | –0– |
| FEDERAL | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 70,441,400 | 70,441,400 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| **20.660 Court of appeals** | | | | |
| (1) APPELLATE PROCEEDINGS | | | | |
| (a) General program operations | GPR | S | 6,997,900 | 6,997,900 |
| (m) Federal aid | PR–F | C | –0– | –0– |
| 20.660 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 6,997,900 | 6,997,900 |
| PROGRAM REVENUE | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 6,997,900 | 6,997,900 |
| **20.665 Judicial commission** | | | | |
| (1) JUDICIAL CONDUCT | | | | |
| (a) General program operations | GPR | A | 172,700 | 173,100 |
| (cm) Contractual agreements | GPR | B | 18,200 | 18,200 |
| (d) General program operations; judicial council | GPR | A | 35,000 | 35,000 |
| (mm) Federal aid | PR–F | C | –0– | –0– |
| 20.665 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 225,900 | 226,300 |
| PROGRAM REVENUE | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 225,900 | 226,300 |
| **20.680 Supreme court** | | | | |
| (1) SUPREME COURT PROCEEDINGS | | | | |
| (a) General program operations | GPR | S | 3,848,100 | 3,848,100 |
| (m) Federal aid | PR–F | C | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 3,848,100 | 3,848,100 |
| PROGRAM REVENUE | | | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|---|
| | | FEDERAL | | | (–0–) | (–0–) |
| | | TOTAL–ALL SOURCES | | | 3,848,100 | 3,848,100 |
| (2) | | DIRECTOR OF STATE COURTS | | | | |
| | (a) | General program operations | GPR | B | 4,809,300 | 4,809,300 |
| | (b) | Judicial planning and research | GPR | A | –0– | –0– |
| | (g) | Gifts and grants | PR | C | –0– | –0– |
| | (h) | Materials and services | PR | C | 50,900 | 50,900 |
| | (i) | Municipal judge training | PR | C | 115,400 | 115,400 |
| | (j) | Court information systems | PR | C | 7,014,700 | 8,304,300 |
| | (kc) | Central services | PR–S | A | 164,000 | 164,000 |
| | (kd) | Court operations information technology | PR–S | A | –0– | –0– |
| | (ke) | Interagency and intra–agency automation assistance | PR–S | C | –0– | –0– |
| | (kp) | Court information systems; penalty assessment receipts | PR | A | 950,000 | –0– |
| | (m) | Federal aid | PR–F | C | 400,000 | 400,000 |
| | (qm) | Mediation fund | SEG | C | 657,800 | 657,800 |
| | | (2) PROGRAM TOTALS | | | | |
| | | GENERAL PURPOSE REVENUES | | | 4,809,300 | 4,809,300 |
| | | PROGRAM REVENUE | | | 8,695,000 | 9,034,600 |
| | | FEDERAL | | | (400,000) | (400,000) |
| | | OTHER | | | (8,131,000) | (8,470,600) |
| | | SERVICE | | | (164,000) | (164,000) |
| | | SEGREGATED FUNDS | | | 657,800 | 657,800 |
| | | OTHER | | | (657,800) | (657,800) |
| | | TOTAL–ALL SOURCES | | | 14,162,100 | 14,501,700 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (3) BAR EXAMINERS AND RESPONSIBILITY | | | | |
| (g) Board of bar examiners | PR | C | 528,200 | 528,200 |
| (h) Board of attorneys professional responsibility | PR | C | 1,382,700 | 1,382,700 |
| (3) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | 1,910,900 | 1,910,900 |
| OTHER | | | (1,910,900) | (1,910,900) |
| TOTAL–ALL SOURCES | | | 1,910,900 | 1,910,900 |
| (4) LAW LIBRARY | | | | |
| (a) General program operations | GPR | B | 1,065,600 | 1,022,600 |
| (g) Library collections and services | PR | C | 111,300 | 111,300 |
| (h) Gifts and grants | PR | C | 229,200 | 229,200 |
| (4) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 1,065,600 | 1,022,600 |
| PROGRAM REVENUE | | | 340,500 | 340,500 |
| OTHER | | | (340,500) | (340,500) |
| TOTAL–ALL SOURCES | | | 1,406,100 | 1,363,100 |
| 20.680 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 9,723,000 | 9,680,000 |
| PROGRAM REVENUE | | | 10,946,400 | 11,286,000 |
| FEDERAL | | | (400,000) | (400,000) |
| OTHER | | | (10,382,400) | (10,722,000) |
| SERVICE | | | (164,000) | (164,000) |
| SEGREGATED FUNDS | | | 657,800 | 657,800 |
| OTHER | | | (657,800) | (657,800) |
| TOTAL–ALL SOURCES | | | 21,327,200 | 21,623,800 |
| Judicial FUNCTIONAL AREA TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 87,388,200 | 87,345,600 |
| PROGRAM REVENUE | | | 10,946,400 | 11,286,000 |
| FEDERAL | | | (400,000) | (400,000) |
| OTHER | | | (10,382,400) | (10,722,000) |
| SERVICE | | | (164,000) | (164,000) |
| SEGREGATED FUNDS | | | 657,800 | 657,800 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (657,800) | (657,800) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| SERVICE | | | (–0–) | (–0–) |
| LOCAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 98,992,400 | 99,289,400 |

# Legislative

**20.765 Legislature**

| | | | | | |
|---|---|---|---|---|---|
| (1) | ENACTMENT OF STATE LAWS | | | | |
| (a) | General program operations — assembly | GPR | S | 20,558,000 | 20,558,000 |
| (b) | General program operations — senate | GPR | S | 13,346,100 | 13,346,100 |
| (d) | Legislative documents; exhibit | GPR | S | 9,596,200 | 8,028,600 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 43,500,300 | 41,932,700 |
| | TOTAL–ALL SOURCES | | | 43,500,300 | 41,932,700 |
| (2) | SPECIAL STUDY GROUPS | | | | |
| (a) | Retirement committees | GPR | A | 217,000 | 212,800 |
| (ab) | Retirement actuarial studies | GPR | B | 15,000 | 15,000 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 232,000 | 227,800 |
| | TOTAL–ALL SOURCES | | | 232,000 | 227,800 |
| (3) | SERVICE AGENCIES AND NATIONAL ASSOCIATIONS | | | | |
| (a) | Revisor of statutes bureau | GPR | B | 712,300 | 718,500 |
| (b) | Legislative reference bureau | GPR | B | 3,635,000 | 3,637,800 |
| (c) | Legislative audit bureau | GPR | B | 3,981,200 | 3,981,200 |
| (d) | Legislative fiscal bureau | GPR | B | 2,527,600 | 2,595,200 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (e) | Legislative council | GPR | B | 2,734,200 | 2,734,200 |
| (em) | Legislative technology services bureau | GPR | B | 1,430,600 | 1,438,000 |
| (f) | Joint committee on legislative organization | GPR | B | –0– | –0– |
| (fa) | Membership in national associations | GPR | S | 150,500 | 155,600 |
| (g) | Gifts and grants to service agencies | PR | C | –0– | –0– |
| (ka) | Audit bureau reimbursable audits | PR–S | A | 1,281,900 | 1,355,200 |
| (m) | Federal aid | PR–F | C | –0– | –0– |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 15,171,400 | 15,260,500 |
| PROGRAM REVENUE | 1,281,900 | 1,355,200 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (1,281,900) | (1,355,200) |
| TOTAL–ALL SOURCES | 16,453,300 | 16,615,700 |

20.765 DEPARTMENT TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 58,903,700 | 57,421,000 |
| PROGRAM REVENUE | 1,281,900 | 1,355,200 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (1,281,900) | (1,355,200) |
| TOTAL–ALL SOURCES | 60,185,600 | 58,776,200 |

Legislative
FUNCTIONAL AREA TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 58,903,700 | 57,421,000 |
| PROGRAM REVENUE | 1,281,900 | 1,355,200 |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (1,281,900) | (1,355,200) |
| SEGREGATED FUNDS | –0– | –0– |
| FEDERAL | (–0–) | (–0–) |
| OTHER | (–0–) | (–0–) |
| SERVICE | (–0–) | (–0–) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| LOCAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 60,185,600 | 58,776,200 |

# General Appropriations

**20.835 Shared revenue and tax relief**

| | | | | | |
|---|---|---|---|---|---|
| (1) | SHARED REVENUE PAYMENTS | | | | |
| (b) | Small municipalities shared revenue | GPR | S | 10,000,000 | 10,000,000 |
| (c) | Expenditure restraint program account | GPR | S | 48,000,000 | 48,000,000 |
| (d) | Shared revenue account | GPR | S | 930,459,800 | 930,459,800 |
| (e) | State aid; computers | GPR | S | 63,800,000 | 71,000,000 |
| (f) | County mandate relief account | GPR | S | 20,159,000 | 20,159,000 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | 1,072,418,800 | 1,079,618,800 |
| | TOTAL–ALL SOURCES | | | 1,072,418,800 | 1,079,618,800 |
| (2) | TAX RELIEF | | | | |
| (b) | Claim of right credit | GPR | S | –0– | –0– |
| (c) | Homestead tax credit | GPR | S | 81,200,000 | 78,600,000 |
| (ci) | Development zones investment credit | GPR | S | 2,500 | 2,500 |
| (cL) | Development zones location credit | GPR | S | 2,500 | 2,500 |
| (cm) | Development zones jobs credit | GPR | S | 150,000 | 150,000 |
| (cn) | Development zones sales tax credit | GPR | S | 150,000 | 150,000 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (d) Farmers' drought property tax credit | GPR | S | –0– | –0– |
| (dm) Farmland preservation credit | GPR | S | 19,000,000 | 18,100,000 |
| (ep) Cigarette and tobacco product tax refunds | GPR | S | 9,520,000 | 9,320,000 |
| (f) Earned income tax credit | GPR | S | 14,200,000 | 15,400,000 |
| (kf) Earned income tax credit; temporary assistance for needy families | PR–S | A | 58,000,000 | 61,000,000 |
| (q) Farmland tax relief credit | SEG | S | 20,200,000 | 18,800,000 |
| (2) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 124,225,000 | 121,725,000 |
| PROGRAM REVENUE | | | 58,000,000 | 61,000,000 |
| SERVICE | | | (58,000,000) | (61,000,000) |
| SEGREGATED FUNDS | | | 20,200,000 | 18,800,000 |
| OTHER | | | (20,200,000) | (18,800,000) |
| TOTAL–ALL SOURCES | | | 202,425,000 | 201,525,000 |
| (3) STATE PROPERTY TAX CREDITS | | | | |
| (b) School levy tax credit | GPR | S | 469,305,000 | 469,305,000 |
| (q) Lottery credit | SEG | S | 107,237,000 | 101,923,100 |
| (3) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 469,305,000 | 469,305,000 |
| SEGREGATED FUNDS | | | 107,237,000 | 101,923,100 |
| OTHER | | | (107,237,000) | (101,923,100) |
| TOTAL–ALL SOURCES | | | 576,542,000 | 571,228,100 |
| (4) COUNTY AND LOCAL TAXES | | | | |
| (g) County taxes | PR | C | –0– | –0– |
| (gb) Special district taxes | PR | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (gd) Premier resort area tax | PR | C | –0– | –0– |
| (gg) Local taxes | PR | C | –0– | –0– |
| (4) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (5) PAYMENTS IN LIEU OF TAXES | | | | |
| (a) Payments for municipal services | GPR | A | 18,065,300 | 18,065,300 |
| (5) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 18,065,300 | 18,065,300 |
| TOTAL–ALL SOURCES | | | 18,065,300 | 18,065,300 |
| 20.835 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 1,684,014,100 | 1,688,714,100 |
| PROGRAM REVENUE | | | 58,000,000 | 61,000,000 |
| OTHER | | | (–0–) | (–0–) |
| SERVICE | | | (58,000,000) | (61,000,000) |
| SEGREGATED FUNDS | | | 127,437,000 | 120,723,100 |
| OTHER | | | (127,437,000) | (120,723,100) |
| TOTAL–ALL SOURCES | | | 1,869,451,100 | 1,870,437,200 |

**20.855 Miscellaneous appropriations**

| | | | | |
|---|---|---|---|---|
| (1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT | | | | |
| (a) Obligation on operating notes | GPR | S | 8,500,000 | 15,500,000 |
| (b) Operating note expenses | GPR | S | 110,000 | 110,000 |
| (bm) Payment of cancelled drafts | GPR | S | 1,100,000 | 1,100,000 |
| (c) Interest payments to program revenue accounts | GPR | S | –0– | –0– |
| (d) Interest payments to segregated funds | GPR | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (dm) Interest reimbursements to federal government | GPR | S | –0– | –0– |
| (e) Interest on prorated local government payments | GPR | S | –0– | –0– |
| (gm) Payment of cancelled drafts; program revenues | PR | S | –0– | –0– |
| (q) Redemption of operating notes | SEG | S | –0– | –0– |
| (r) Interest payments to general fund | SEG | S | –0– | –0– |
| (rm) Payment of cancelled drafts; segregated revenues | SEG | S | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 9,710,000 | 16,710,000 |
| PROGRAM REVENUE | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 9,710,000 | 16,710,000 |
| (3) RELOCATION EXPENSES | | | | |
| (a) Capitol offices relocation | GPR | S | 2,420,400 | 2,420,400 |
| (b) Capitol restoration and relocation planning | GPR | B | –0– | –0– |
| (3) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,420,400 | 2,420,400 |
| TOTAL–ALL SOURCES | | | 2,420,400 | 2,420,400 |
| (4) TAX, ASSISTANCE AND TRANSFER PAYMENTS | | | | |
| (a) Interest on overpayment of taxes | GPR | S | 800,000 | 900,000 |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (am) | Great Lakes protection fund contribution | GPR | C | –0– | –0– |
| (b) | Election campaign payments | GPR | S | 310,000 | 310,000 |
| (c) | Minnesota income tax reciprocity | GPR | S | 44,500,000 | 48,000,000 |
| (ca) | Minnesota income tax reciprocity bench mark | GPR | A | –0– | –0– |
| (cm) | Illinois income tax reciprocity | GPR | S | –0– | –0– |
| (cn) | Illinois income tax reciprocity benchmark | GPR | A | 105,000 | 50,700 |
| (co) | Illinois income tax reciprocity, 1998 and 1999 | GPR | A | 8,250,000 | –0– |
| (e) | Transfer to conservation fund; land acquisition reimbursement | GPR | S | 238,700 | 247,900 |
| (f) | Supplemental title fee matching | GPR | S | 10,600,000 | 10,400,000 |
| (q) | Terminal tax distribution | SEG | S | 1,046,300 | 1,057,400 |
| (r) | Petroleum allowance | SEG | S | 400,000 | 400,000 |
| (s) | Transfer to conservation fund; motorboat formula | SEG | S | 10,101,300 | 10,495,500 |
| (t) | Transfer to conservation fund; snowmobile formula | SEG | S | 3,676,500 | 3,846,800 |
| (u) | Transfer to conservation fund; all–terrain vehicle formula | SEG | S | 635,000 | 720,500 |

(4) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 64,803,700 | 59,908,600 |
| SEGREGATED FUNDS | 15,859,100 | 16,520,200 |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (15,859,100) | (16,520,200) |
| TOTAL–ALL SOURCES | | | 80,662,800 | 76,428,800 |
| (5) STATE HOUSING AUTHORITY RESERVE FUND | | | | |
| (a) Enhancement of credit of authority debt | GPR | A | –0– | –0– |
| (5) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (6) MISCELLANEOUS RECEIPTS | | | | |
| (g) Gifts and grants | PR | C | –0– | –0– |
| (h) Vehicle and aircraft receipts | PR | A | –0– | –0– |
| (i) Miscellaneous program revenue | PR | A | –0– | –0– |
| (j) Custody accounts | PR | C | –0– | –0– |
| (k) Aids to individuals and organizations | PR–S | C | –0– | –0– |
| (ka) Local assistance | PR–S | C | –0– | –0– |
| (m) Federal aid | PR–F | C | –0– | –0– |
| (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– |
| (7) DEBT COLLECTIONS | | | | |
| (j) Delinquent support and maintenance payments | PR | C | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (7) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (8) MARQUETTE UNIVERSITY | | | | |
| (a) Dental clinic and educ facility; principal repayment, interest & rebates | GPR | S | –0– | –0– |
| (8) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (9) STATE CAPITOL RENOVATION AND RESTORATION | | | | |
| (a) South wing renovation and restoration | GPR | C | –0– | –0– |
| (9) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| 20.855 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 76,934,100 | 79,039,000 |
| PROGRAM REVENUE | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| SERVICE | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | 15,859,100 | 16,520,200 |
| OTHER | | | (15,859,100) | (16,520,200) |
| TOTAL–ALL SOURCES | | | 92,793,200 | 95,559,200 |
| **20.865 Program supplements** | | | | |
| (1) EMPLOYE COMPENSATION AND SUPPORT | | | | |
| (a) Judgments and legal expenses | GPR | S | 50,000 | 50,000 |
| (c) Compensation and related adjustments | GPR | S | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (cb) | Pay rate or range reassignments | GPR | A | 7,827,200 | 7,827,200 |
| (ci) | Nonrepresented university system faculty and academic pay adjustments | GPR | S | –0– | –0– |
| (cj) | Pay adjustments for certain university employes | GPR | A | –0– | –0– |
| (d) | Employer fringe benefit costs | GPR | S | 76,300 | 76,300 |
| (e) | Additional biweekly payroll | GPR | A | –0– | 30,000,000 |
| (em) | Financial services | GPR | A | 172,200 | 172,200 |
| (fm) | Risk management | GPR | A | –0– | –0– |
| (fn) | Physically handicapped supplements | GPR | A | 6,900 | 6,900 |
| (g) | Judgments and legal expenses; program revenues | PR | S | –0– | –0– |
| (i) | Compensation and related adjustments; program revenues | PR | S | –0– | –0– |
| (ib) | Pay rate or range reassignments | PR | A | 1,286,500 | 1,286,500 |
| (ic) | Nonrepresented university system faculty and academic pay adjustments | PR | S | –0– | –0– |
| (j) | Employer fringe benefit costs; program revenues | PR | S | –0– | –0– |
| (jm) | Additional biweekly payroll; nonfederal program revenues | PR | S | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (js) | Financial services; program revenues | PR | S | –0– | –0– |
| (kr) | Risk management; program revenues | PR–S | S | –0– | –0– |
| (Ln) | Physically handicapped supplements; program revenues | PR | S | –0– | –0– |
| (m) | Additional biweekly payroll; federal program revenues | PR–F | S | –0– | –0– |
| (q) | Judgments and legal expenses; segregated revenues | SEG | S | –0– | –0– |
| (s) | Compensation and related adjustments; segregated revenues | SEG | S | –0– | –0– |
| (si) | Nonrepresented university system faculty and academic pay adjustments | SEG | S | –0– | –0– |
| (t) | Employer fringe benefit costs; segregated revenues | SEG | S | –0– | –0– |
| (tm) | Additional biweekly payroll; nonfederal segregated revenues | SEG | S | –0– | –0– |
| (ts) | Financial services; segregated revenues | SEG | S | –0– | –0– |
| (ur) | Risk management; segregated revenues | SEG | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (vn) Physically handicapped supplements; segregated revenues | SEG | S | –0– | –0– |
| (x) Additional biweekly payroll; federal segregated revenues | SEG–F | S | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 8,132,600 | 38,132,600 |
| PROGRAM REVENUE | | | 1,286,500 | 1,286,500 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (1,286,500) | (1,286,500) |
| SERVICE | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | –0– | –0– |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 9,419,100 | 39,419,100 |
| (2) STATE PROGRAMS AND FACILITIES | | | | |
| (a) Space management and child care | GPR | A | 3,441,300 | 3,935,000 |
| (ag) State–owned office rent supplement | GPR | A | 1,189,900 | 2,379,800 |
| (d) State deposit fund | GPR | S | –0– | –0– |
| (e) Maintenance of capitol and executive residence | GPR | A | 5,492,700 | 5,492,700 |
| (eb) Executive residence furnishings replacement | GPR | C | 25,000 | 25,000 |
| (em) Groundwater survey and analysis | GPR | A | 231,200 | 231,200 |
| (g) Space management and child care; program revenues | PR | S | –0– | –0– |
| (gg) State–owned office rent supplement; program revenues | PR | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (j) State deposit fund; program revenues | PR | S | –0– | –0– |
| (L) Data processing and telecommunications study; program revenues | PR–S | S | –0– | –0– |
| (q) Space management and child care; segregated revenues | SEG | S | –0– | –0– |
| (qg) State–owned office rent supplement; segregated revenues | SEG | S | –0– | –0– |
| (t) State deposit fund; segregated revenues | SEG | S | –0– | –0– |

(2) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 10,380,100 | 12,063,700 |
| PROGRAM REVENUE | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| SERVICE | (–0–) | (–0–) |
| SEGREGATED FUNDS | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | 10,380,100 | 12,063,700 |

(3) TAXES AND SPECIAL CHARGES

| | | | | |
|---|---|---|---|---|
| (a) Property taxes | GPR | S | –0– | –0– |
| (g) Property taxes; program revenues | PR | S | –0– | –0– |
| (i) Payments for municipal services; program revenues | PR | S | –0– | –0– |
| (q) Property taxes; segregated revenues | SEG | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (s) Payments for municipal services; 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– |
| (4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS | | | | |
| (a) General purpose revenue funds general program supplementation | GPR | B | 24,741,400 | 77,733,600 |
| (g) Program revenue funds general program supplementation | PR | S | 1,534,200 | 2,790,400 |
| (m) Federal funds general program supplementation | PR–F | C | 108,219,000 | 10,000,000 |
| (u) Segregated funds general program supplementation | SEG | S | 1,997,300 | 37,867,100 |
| (4) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 24,741,400 | 77,733,600 |
| PROGRAM REVENUE | | | 109,753,200 | 12,790,400 |
| FEDERAL | | | (108,219,000) | (10,000,000) |
| OTHER | | | (1,534,200) | (2,790,400) |
| SEGREGATED FUNDS | | | 1,997,300 | 37,867,100 |
| OTHER | | | (1,997,300) | (37,867,100) |
| TOTAL–ALL SOURCES | | | 136,491,900 | 128,391,100 |
| (8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.–SERVICE APPROPRIATIONS | | | | |
| (g) Supplementation of program revenue and program rev.–service appropriations | PR | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| (8) PROGRAM TOTALS | | | | |
| PROGRAM REVENUE | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| 20.865 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 43,254,100 | 127,929,900 |
| PROGRAM REVENUE | | | 111,039,700 | 14,076,900 |
| FEDERAL | | | (108,219,000) | (10,000,000) |
| OTHER | | | (2,820,700) | (4,076,900) |
| SERVICE | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | 1,997,300 | 37,867,100 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (1,997,300) | (37,867,100) |
| TOTAL–ALL SOURCES | | | 156,291,100 | 179,873,900 |
| **20.866 Public debt** | | | | |
| (1) BOND SECURITY AND REDEMPTION FUND | | | | |
| (u) Principal repayment and interest | SEG | S | –0– | –0– |
| 20.866 DEPARTMENT TOTALS | | | | |
| SEGREGATED FUNDS | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| **20.867 Building commission** | | | | |
| (1) STATE OFFICE BUILDINGS | | | | |
| (a) Principal repayment and interest; housing of state agencies | GPR | S | –0– | –0– |
| (b) Principal repayment and interest; capitol and executive residence | GPR | S | 2,689,600 | 7,159,000 |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,689,600 | 7,159,000 |
| TOTAL–ALL SOURCES | | | 2,689,600 | 7,159,000 |
| (2) ALL STATE–OWNED FACILITIES | | | | |
| (b) Asbestos removal | GPR | A | –0– | –0– |

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (c) | Hazardous materials removal | GPR | A | –0– | –0– |
| (f) | Facilities preventive maintenance | GPR | A | –0– | –0– |
| (q) | Building trust fund | SEG | C | –0– | –0– |
| (r) | Planning and design | SEG | C | –0– | –0– |
| (u) | Aids for buildings | SEG | C | –0– | –0– |
| (v) | Building program funding contingency | SEG | C | –0– | –0– |
| (w) | Building program funding | SEG | C | –0– | –0– |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUES | | | –0– | –0– |
| | SEGREGATED FUNDS | | | –0– | –0– |
| | OTHER | | | (–0–) | (–0–) |
| | TOTAL–ALL SOURCES | | | –0– | –0– |
| (3) | STATE BUILDING PROGRAM | | | | |
| (a) | Principal repayment and interest | GPR | S | –0– | 20,013,700 |
| (b) | Principal repayment and interest | GPR | S | 49,900 | –0– |
| (bm) | Principal repayment, interest and rebates | GPR | S | –0– | –0– |
| (c) | Lease rental payments | GPR | S | –0– | –0– |
| (d) | Interest rebates on obligation proceeds; general fund | GPR | S | –0– | –0– |
| (e) | Principal repayment, interest and rebates; parking ramp | GPR | S | –0– | –0– |
| (g) | Principal repayment, interest and rebates; program revenues | PR | S | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|---|
| (h) | Principal repayment, interest and rebates | PR | S | –0– | –0– |
| (i) | Principal repayment, interest and rebates; capital equipment | PR | S | –0– | –0– |
| (k) | Interest rebates on obligation proceeds; program revenues | PR–S | C | –0– | –0– |
| (q) | Principal repayment and interest; segregated revenues | SEG | S | –0– | –0– |
| (r) | Interest rebates on obligation proceeds; conservation fund | SEG | S | –0– | –0– |
| (s) | Interest rebates on obligation proceeds; transportation fund | SEG | S | –0– | –0– |
| (t) | Interest rebates on obligation proceeds; veterans trust fund | SEG | S | –0– | –0– |
| (w) | Bonding services | SEG | S | 1,024,200 | 1,024,200 |

(3) PROGRAM TOTALS

| | | |
|---|---|---|
| GENERAL PURPOSE REVENUES | 49,900 | 20,013,700 |
| PROGRAM REVENUE | –0– | –0– |
| OTHER | (–0–) | (–0–) |
| SERVICE | (–0–) | (–0–) |
| SEGREGATED FUNDS | 1,024,200 | 1,024,200 |
| OTHER | (1,024,200) | (1,024,200) |
| TOTAL–ALL SOURCES | 1,074,100 | 21,037,900 |

(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS

| | | | | | |
|---|---|---|---|---|---|
| (q) | Funding in lieu of borrowing | SEG | C | –0– | –0– |
| (r) | Interest on veterans obligations | SEG | C | –0– | –0– |

(4) PROGRAM TOTALS

| | | |
|---|---|---|
| SEGREGATED FUNDS | –0– | –0– |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| OTHER | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| 20.867 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | 2,739,500 | 27,172,700 |
| PROGRAM REVENUE | | | –0– | –0– |
| OTHER | | | (–0–) | (–0–) |
| SERVICE | | | (–0–) | (–0–) |
| SEGREGATED FUNDS | | | 1,024,200 | 1,024,200 |
| OTHER | | | (1,024,200) | (1,024,200) |
| TOTAL–ALL SOURCES | | | 3,763,700 | 28,196,900 |
| **20.875 Budget stabilization fund** | | | | |
| (1) TRANSFERS TO FUND | | | | |
| (a) General fund transfer | GPR | A | –0– | –0– |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUES | | | –0– | –0– |
| TOTAL–ALL SOURCES | | | –0– | –0– |
| (2) TRANSFERS FROM FUND | | | | |
| (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 | | | 1,806,941,800 | 1,922,855,700 |
| PROGRAM REVENUE | | | 169,039,700 | 75,076,900 |
| FEDERAL | | | (108,219,000) | (10,000,000) |
| OTHER | | | (2,820,700) | (4,076,900) |
| SERVICE | | | (58,000,000) | (61,000,000) |
| SEGREGATED FUNDS | | | 146,317,600 | 176,134,600 |
| FEDERAL | | | (–0–) | (–0–) |
| OTHER | | | (146,317,600) | (176,134,600) |

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 1999–00 | 2000–01 |
|---|---|---|---|---|
| SERVICE | | | (–0–) | (–0–) |
| LOCAL | | | (–0–) | (–0–) |
| TOTAL–ALL SOURCES | | | 2,122,299,100 | 2,174,067,200 |
| | | | | |
| STATE TOTAL | | | 20,210,228,000 | 20,674,828,400 |
| GENERAL PURPOSE REVENUES | | | 10,535,256,200 | 10,908,319,800 |
| PROGRAM REVENUE | | | 6,794,942,000 | 6,917,108,900 |
| FEDERAL | | | (4,141,029,500) | (4,195,766,700) |
| OTHER | | | (1,889,777,100) | (1,942,216,200) |
| SERVICE | | | (764,135,400) | (779,126,000) |
| SEGREGATED FUNDS | | | 2,880,029,800 | 2,849,399,700 |
| FEDERAL | | | (632,423,900) | (582,023,000) |
| OTHER | | | (2,032,966,300) | (2,050,445,300) |
| SERVICE | | | (145,141,600) | (152,038,500) |
| LOCAL | | | (69,498,000) | (64,892,900) |

**SECTION 173.** 20.115 (1) (g) of the statutes is amended to read:

20.115 **(1)** (g) *Related services.* The amounts in the schedule for the conduct of services related to food and trade regulation, including special and overtime meat inspection services under s. 97.42 (3), and investigative and audit services under ss. 93.06 (6) (b), 100.06 (1g) (c) and 100.07 (1)~~. All~~, but excluding services financed under pars. (gf) and (h). Except as provided in pars. (gf) and (h), all moneys received from authorized service fees related to food and trade regulation shall be credited to this appropriation.

**SECTION 174.** 20.115 (1) (gf) of the statutes is created to read:

20.115 **(1)** (gf) *Fruit and vegetable inspection.* The amounts in the schedule for fruit and vegetable inspection. All moneys received for the inspection of fruits and vegetables under ss. 93.06 (1m), 93.09 (10) and 100.03 (3) (a) 1. shall be credited to this appropriation account.

**SECTION 175.** 20.115 (1) (gm) of the statutes is amended to read:

20.115 **(1)** (gm) *Dairy ~~trade regulation; dairy product~~ and vegetable ~~producer~~ security and trade practices*. The amounts in the schedule for the regulation of vegetable procurement under s. 100.03, of dairy plant financial condition under s. 100.06 and of dairy trade practices under s. 100.201. All moneys received under ss. 100.03 (3) (a) 2. and 3., 100.06 (9) and 100.201 (6) shall be credited to this appropriation.

**SECTION 176.** 20.115 (1) (j) of the statutes is amended to read:

20.115 **(1)** (j) *Weights and measures inspection.* The amounts in the schedule for weights and measures inspection, testing and enforcement under ch. 98. All moneys received under ss. 93.06 (1p), 94.64 (4) (a) 6., 94.72 (6) (a) 3., 97.30 (3) (am), 98.04 (2), 98.05 (5), 98.16, 98.18 and 98.245 (7) shall be credited to this appropriation.

**SECTION 177.** 20.115 (1) (jb) of the statutes is created to read:

20.115 **(1)** (jb) *Consumer information and education.* The amounts in the schedule for consumer protection information and education. All moneys received under s. 100.261 (3) (b) shall be credited to this appropriation account.

**SECTION 178.** 20.115 (2) (j) of the statutes is amended to read:

20.115 **(2)** (j) *Dog licenses, rabies control and related services.* The amounts in the schedule to provide dog license tags and forms under s. 174.07 (2), to perform other program responsibilities under ch. 174, to administer the rabies control program under s. 95.21, to help administer the rabies control media campaign and to carry out the humane activities under s. 93.07 (11). All moneys received ~~by the state treasurer~~ under ~~s.~~ ss. 95.21 (9) (c) and 174.09 (1) shall be credited to this appropriation.

**SECTION 179.** 20.115 (2) (j) of the statutes, as affected by 1997 Wisconsin Act 192 and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

20.115 **(2)** (j) *Dog licenses, rabies control and related services.* The amounts in the schedule to provide dog license tags and forms under s. 174.07 (2), to perform other program responsibilities under ch. 174, to administer the rabies control program under s. 95.21, to help administer the rabies control media campaign and to carry out humane activities under s. 93.07 (11) and ch. 173. All moneys received under ss. 95.21 (9) (c), 173.27 and 174.09 (1) shall be credited to this appropriation.

**SECTION 179p.** 20.115 (3) (c) of the statutes is created to read:

20.115 **(3)** (c) *Export promotion program.* A sum sufficient for promotion of exports of agricultural products, not to exceed, in any fiscal year, the difference between $300,000 and the amount by which federal moneys received for this purpose in that fiscal year exceed the federal moneys received for this purpose in fiscal year 1998–99.

**SECTION 180.** 20.115 (3) (g) of the statutes is amended to read:

20.115 **(3)** (g) *Related services.* The amounts in the schedule for the conduct of authorized marketing services~~, except services financed under par. (h). Except as provided in par. (h), all~~. All moneys received from authorized fees related to marketing services~~, including moneys received for inspection, grading and certification of fruits and vegetables under ss. 93.06 (1m), 93.09 (10) and 100.03 (3) (a) 1. and 2.,~~ shall be credited to this appropriation account.

**SECTION 181.** 20.115 (3) (h) of the statutes is renumbered 20.115 (1) (h).

**SECTION 182.** 20.115 (4) (cd) of the statutes is created to read:

20.115 **(4)** (cd) *Federal dairy policy reform.* Biennially, the amounts in the schedule to provide assistance to organizations to reform federal dairy pricing policies under s. 93.06 (12).

**SECTION 183.** 20.115 (4) (cd) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 183g.** 20.115 (4) (q) of the statutes is created to read:

20.115 **(4)** (q) *Grants for agriculture in the classroom program.* From the agrichemical management fund, the amounts in the schedule for grants for the agriculture in the classroom program under s. 93.32.

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

20.115 **(7)** (b) *Conservation reserve enhancement program.* Biennially, the amounts in the schedule for the conservation reserve enhancement program under s. 93.70.

**SECTION 184.** 20.115 (7) (d) of the statutes is created to read:

20.115 **(7)** (d) *Drainage board grants.* The amounts in the schedule for grants to drainage boards under s. 88.15. No moneys may be encumbered from this appropriation after June 30, 2004.

**SECTION 184e.** 20.115 (7) (e) of the statutes is repealed.

**SECTION 185.** 20.115 (7) (ga) of the statutes is amended to read:

20.115 **(7)** (ga) *Related services.* All moneys received from publication sales and service fees authorized by law that are related to agricultural resource management, from fees under s. 94.50 and from costs paid by municipalities under s. 88.64 (6), for the publication of informational materials and the conduct of services related to agricultural resource management.

**SECTION 186.** 20.115 (7) (gb) of the statutes is created to read:

20.115 **(7)** (gb) *Agricultural resource management; gifts and grants.* All moneys received from gifts, grants and bequests for the agricultural resource management purposes under chs. 88 and 91 to 94 to carry out the purposes for which made.

**SECTION 187.** 20.115 (7) (j) of the statutes is repealed.

**SECTION 188.** 20.115 (7) (ja) of the statutes is created to read:

20.115 **(7)** (ja) *Plant protection.* All moneys received under s. 94.10 (2), (3) and (3g) for plant protection, including nursery regulation and the detection and control of plant pests.

**SECTION 188f.** 20.115 (7) (km) of the statutes is repealed.

**SECTION 189.** 20.115 (7) (qc) of the statutes is created to read:

20.115 **(7)** (qc) *Plant protection; conservation fund.* From the conservation fund, the amounts in the schedule for plant protection, including nursery regulation and control of plant pests.

**SECTION 189e.** 20.115 (7) (uc) of the statutes is created to read:

20.115 **(7)** (uc) *Pesticide sales and use reporting system administration.* From the agrichemical management fund, as a continuing appropriation, the amounts in the schedule for the development and administration of the pesticide sales and use reporting system under s. 94.695.

**SECTION 189g.** 20.115 (7) (ue) of the statutes is created to read:

20.115 **(7)** (ue) *Pesticide sales and use reporting system development.* From the environmental fund, as a continuing appropriation, the amounts in the schedule to contract for assistance in developing the pesticide sales and use reporting system under s. 94.695.

**SECTION 190.** 20.115 (8) (g) of the statutes is amended to read:

20.115 **(8)** (g) *Gifts and grants.* Except as provided in ~~sub.~~ subs. (2) (gb) ~~or,~~ (3) (ga), (4) (i) and (7) (gb), all moneys received from gifts and grants to carry out the purposes for which made.

**SECTION 191.** 20.115 (8) (ga) of the statutes is amended to read:

20.115 **(8)** (ga) *Milk standards program.* All moneys received as payment for milk standards produced and used in the calibration and verification of instruments used for milk component testing and related costs for the milk standards program. ~~On June 30, 1990, 1991, 1992, 1993 and 1994, the department shall make payments, of at least $10,000 each year, to the general fund from this appropriation for the purpose of reimbursing milk standards program start–up costs. The payments shall total an amount equal to $142,200 by June 30, 1994.~~

**SECTION 192.** 20.115 (8) (j) of the statutes is created to read:

20.115 **(8)** (j) *Electronic processing.* All moneys received under s. 93.06 (1n) to be used for electronic processing authorized under s. 93.06 (1n) (a) and (b).

**SECTION 193.** 20.115 (8) (k) of the statutes is amended to read:

20.115 **(8)** (k) *Computer system equipment, staff and services.* The amounts in the schedule for the costs of computer system equipment, staff and services. All moneys ~~transferred for this purpose from pars. (ga), (gm), (h), (ha), (i), (kp), (ks), (m) and (pz) and subs. (1) (g), (gb), (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g), (ha), (j), (k) and (m), (3) (g), (h), (i), (j), (ja), (L) and (m) and (7) (g), (ga), (gm), (k) and (m)~~ received from the department for those purposes shall be credited to this appropriation account.

**SECTION 193m.** 20.115 (8) (kt) of the statutes is repealed.

**SECTION 195c.** 20.143 (1) (br) (title) of the statutes is amended to read:

20.143 **(1)** (br) (title) *Brownfields and groundwater contamination grant program; general purpose revenue.*

**SECTION 196.** 20.143 (1) (c) of the statutes, as affected by 1997 Wisconsin Act 237, section 24, and 1997 Wisconsin Act 310, section 1c, is repealed and recreated to read:

20.143 **(1)** (c) *Wisconsin development fund; grants, loans, reimbursements and assistance.* Biennially, the amounts in the schedule for grants under ss. 560.081 (3), 560.145, 560.16 and 560.175; for grants and loans under ss. 560.62, 560.63 and 560.66; for loans under s. 560.147; for reimbursements under s. 560.167; for providing assistance under s. 560.06; for the costs specified in s. 560.607; for the loan under 1999 Wisconsin Act .... (this act), section 9110 (4); and for the grants under 1995 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act 119, section 2 (1), 1997 Wisconsin Act 27, section 9110 (6g), and 1999 Wisconsin Act .... (this act), section 9110 (5) and (6e). Of the amounts in the schedule, $50,000 shall be allocated in each of fiscal years 1997–98 and 1998–99 for providing the assistance under s. 560.06 (1). Notwithstanding s. 560.607, of the amounts in the schedule, $125,000 shall be allocated in each of 4 consecutive fiscal years, beginning with fiscal year 1998–99, for grants and loans under s. 560.62 (1) (a).

**SECTION 197.** 20.143 (1) (df) of the statutes is renumbered 20.143 (1) (kf) and amended to read:

20.143 **(1)** (kf) *American Indian economic development; technical assistance.* The amounts in the schedule for grants under s. 560.875 (1). <u>All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6f. shall be credited to this appropriation account.</u>

**SECTION 198.** 20.143 (1) (dg) of the statutes is renumbered 20.143 (1) (kg) and amended to read:

20.143 **(1)** (kg) *American Indian economic development; liaison.* The amounts in the schedule for the American Indian economic liaison program under s. 560.87, other than for grants under s. 560.87 (6). <u>All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6g. shall be credited to this appropriation account.</u>

**SECTION 199.** 20.143 (1) (dh) of the statutes is renumbered 20.143 (1) (kh) and amended to read:

20.143 **(1)** (kh) *American Indian economic development; liaison — grants.* The amounts in the schedule for grants under s. 560.87 (6). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6h. shall be credited to this appropriation account.

**SECTION 202.** 20.143 (1) (f) of the statutes is renumbered 20.143 (1) (kr) and amended to read:

20.143 **(1)** (kr) *Physician and health care provider loan assistance programs, repayments and contract.* ~~As a continuing appropriation, the amounts in the schedule~~ All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6r. and all moneys transferred under 1999 Wisconsin Act .... (this act), section 9210 (1), for loan repayments under ss. 560.183 and 560.184 and for contracting under ss. 560.183 (8) and 560.184 (7).

**SECTION 203.** 20.143 (1) (id) of the statutes is created to read:

20.143 **(1)** (id) *Gaming economic diversification grants and loans; repayments.* The amounts in the schedule for grants and loans under s. 560.138. All moneys received in repayment of loans under s. 560.138 shall be credited to this appropriation account.

**SECTION 204.** 20.143 (1) (ie) of the statutes is amended to read:

20.143 **(1)** (ie) *Wisconsin development fund, repayments.* All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.147, s. 560.16, 1995 stats., s. 560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m), 1989 Wisconsin Act 336, section 3015 (3gx), 1997 Wisconsin Act 27, section 9110 (7f),

~~and~~ 1997 Wisconsin Act 310, section 2 (2d), and 1999 Wisconsin Act .... (this act), section 9110 (4), to be used for grants and loans under subch. V of ch. 560 except s. 560.65, for loans under s. 560.147, for grants under ~~s.~~ ss. 560.081 (3), 560.16, 560.175 and 560.25, for assistance under s. 560.06 (2), for the ~~loans~~ loan under ~~1997 Wisconsin Act 27~~ 1999 Wisconsin Act .... (this act), section 9110 ~~(7f), and 1997 Wisconsin Act 310, section 2 (2d)~~ (4), and for reimbursements under s. 560.167.

**SECTION 205.** 20.143 (1) (ig) of the statutes is created to read:

20.143 **(1)** (ig) *Gaming economic development grants and loans; repayments.* The amounts in the schedule for grants and loans under s. 560.137. All moneys received in repayment of loans under s. 560.137 shall be credited to this appropriation account.

**SECTION 207.** 20.143 (1) (kj) of the statutes is created to read:

20.143 **(1)** (kj) *Gaming economic development grants and loans.* The amounts in the schedule for grants and loans under s. 560.137, for marketing the program under s. 560.137, for the grants under s. 560.139, for the grants to Brown County under 1999 Wisconsin Act .... (this act), section 9110 (1), and for the grant under 1999 Wisconsin Act .... (this act), section 9110 (6c). From this appropriation, the department may expend in each fiscal year for marketing the program under s. 560.137 no more than the difference between $100,000 and the amount that the department spends in the same fiscal year from the appropriation under par. (km) for marketing the program under s. 560.138. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6j. shall be credited to this appropriation account.

**SECTION 208.** 20.143 (1) (kj) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

20.143 **(1)** (kj) *Gaming economic development grants and loans.* The amounts in the schedule for grants and loans under s. 560.137, for marketing the program under s. 560.137~~,~~ and for the grants under s. 560.139~~, for the grants to Brown County under 1999 Wisconsin Act .... (this act), section 9110, and for the grant under 1999 Wisconsin Act .... (this act), section 9110 (6c)~~. From this appropriation, the department may expend in each fiscal year for marketing the program under s. 560.137 no more than the difference between $100,000 and the amount that the department spends in the same fiscal year from the appropriation under par. (km) for marketing the program under s. 560.138. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6j. shall be credited to this appropriation account.

**SECTION 209.** 20.143 (1) (km) of the statutes is created to read:

20.143 **(1)** (km) G*aming economic diversification grants and loans.* The amounts in the schedule for grants and loans under s. 560.138, for marketing the program under s. 560.138 and for the grants under s. 560.139. From this appropriation, the department may expend in each fiscal year for marketing the program under s. 560.138 no more than the difference between $100,000 and the amount that the department spends in the same fiscal year from the appropriation under par. (kj) for marketing the program under s. 560.137. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6m. shall be credited to this appropriation account.

**SECTION 212c.** 20.143 (1) (qm) (title) of the statutes is amended to read:

20.143 **(1)** (qm) (title) *Brownfields and groundwater contamination grant program; environmental fund.*

**SECTION 213.** 20.143 (1) (s) of the statutes is repealed.

**SECTION 214.** 20.143 (1) (sm) of the statutes is repealed.

**SECTION 216g.** 20.143 (3) (j) of the statutes is amended to read:

20.143 **(3)** (j) *Safety and building operations.* The amounts in the schedule for the purposes of ~~subchs. I, II, III, IV and VI of ch.~~ chs. 101, ~~chs.~~ 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.9205 (3), 101.9208 (1) and (3) to (10), 101.9213 (8), 101.9223, 101.935, 101.951 (2), 101.952 (2), 101.955 (2), 101.973 (7) and 236.12 (7) shall be credited to this appropriation.

**SECTION 216m.** 20.143 (3) (Lm) of the statutes is created to read:

20.143 **(3)** (Lm) *Petroleum storage remedial action fees.* The amounts in the schedule for the administration of ss. 101.143 and 101.144. All moneys received under s. 101.143 (2) (L) shall be credited to this appropriation account.

**SECTION 217.** 20.143 (3) (s) of the statutes is created to read:

20.143 **(3)** (s) *Petroleum inspection fund — revenue obligation proceeds.* As a continuing appropriation, all proceeds from revenue obligations that are issued under subch. II or IV of ch. 18, authorized under s. 101.143 (9m) and deposited in a fund in the state treasury created under s. 18.57 (1), to provide for reserves and for expenses of issuance and management of the revenue obligations, and the remainder to be transferred to the petroleum inspection fund for the purposes of the petroleum storage remedial action program under s. 101.143. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

**SECTION 218.** 20.143 (3) (t) of the statutes is created to read:

20.143 **(3)** (t) *Petroleum inspection fund — revenue obligation repayment.* From the petroleum inspection fund, a sum sufficient to repay the fund in the state

treasury created under s. 18.57 (1), or the separate and distinct fund outside the state treasury under s. 18.562 (3) and (5) (e), the amount needed to retire revenue obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m).

**SECTION 219.** 20.143 (3) (u) of the statutes is created to read:

20.143 **(3)** (u) *Revenue obligation debt service — petroleum inspection fund.* From the fund in the state treasury created under s. 18.57 (1), all moneys received by the fund for the purpose of the retirement of revenue obligations, providing for reserves and for operations relating to the management and retirement of revenue obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m). All moneys received by the fund are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

**SECTION 220.** 20.143 (3) (v) of the statutes is amended to read:

20.143 **(3)** (v) *Petroleum storage environmental remedial action; awards.* Biennially, from the petroleum inspection fund, the amounts in the schedule to pay awards under s. 101.143 ~~and~~, legal costs incurred under s. 101.143 (7m)<u>, amounts to reduce principal of outstanding revenue obligations issued pursuant to s. 101.143 (9m) and, if the department promulgates rules under s. 101.143 (2) (i) 1., to purchase, or provide funding to purchase, insurance described in s. 101.143 (2) (i) 2</u>.

**SECTION 221.** 20.143 (3) (vb) of the statutes is created to read:

20.143 **(3)** (vb) *Petroleum storage environmental remedial action revenue bonding; awards.* From the petroleum inspection fund, a sum sufficient not to exceed the net proceeds of special fund obligations issued pursuant to s. 101.143 (9m) to pay

awards under s. 101.143 (4) and legal costs incurred under s. 101.143 (7m). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

**SECTION 221m.** 20.143 (4) (kc) of the statutes is repealed.

**SECTION 222.** 20.144 (1) (g) of the statutes is amended to read:

20.144 **(1)** (g) *General program operations*. The amounts in the schedule for the general program operations of the department of financial institutions. Except as provided in pars.(a), (h), (i) and (u), all moneys received by the department, other than by the office of credit unions, the division of banking and the division of savings and loan, and 88% of all moneys received by the department's division of banking and the department's division of savings and loan shall be credited to this appropriation, but any balance at the close of a fiscal year ~~exceeding 10% of the previous fiscal year's expenditures~~ under this appropriation shall lapse to the general fund. Annually, $200,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s.20.575 (1) (g).

**SECTION 225.** 20.155 (1) (Lb) of the statutes is amended to read:

20.155 **(1)** (Lb) *Gifts for stray voltage program*. All moneys received from gifts and grants for ~~the purpose of~~ the stray voltage program <u>to carry out the purpose for which received</u>.

**SECTION 226.** 20.155 (1) (Lm) of the statutes is created to read:

20.155 **(1)** (Lm) *Consumer education and awareness*. All moneys received from gifts, grants, orders, judgments and settlements for consumer education and awareness to carry out the purpose for which received.

**SECTION 226c.** 20.155 (1) (q) of the statutes is amended to read:

20.155 **(1)** (q) *Universal telecommunications service.* ~~Biennially, from~~ From the universal service fund, the amounts in the schedule for the promotion of universal telecommunications service for the purposes specified in s. 196.218 (5) (a) 1. to 4., 8. and 9.

**SECTION 226e.** 20.165 (1) (i) of the statutes is amended to read:

20.165 **(1)** (i) *Examinations; general program operations.* ~~All~~ Ninety percent of all moneys received under s. 440.05 (1) (b) for the purposes of preparing, administering and grading examinations. Notwithstanding s. 20.001 (3) (c), any unencumbered balance in this appropriation account, excluding any amount specified by the secretary of administration that is reserved for the payment of future employe compensation or fringe benefit costs, at the end of each fiscal year which exceeds 30% of the estimated amount shown in the schedule under s. 20.005 for that fiscal year shall be transferred to the appropriation account under par. (g).

**SECTION 226g.** 20.215 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 237, is amended to read:

20.215 **(1)** (b) *State aid for the arts.* The amounts in the schedule for grants–in–aid or contract payments to groups, individuals, organizations and institutions by the arts board under s. 44.53 (1) (f) and (2) (a) ~~and~~, for grants and loans related to arts incubators under s. 44.60 and for the grant under 1999 Wisconsin Act .... (this act), section 9105 (1c).

**SECTION 226m.** 20.215 (1) (e) of the statutes is created to read:

20.215 **(1)** (e) *High Point fund.* The amounts in the schedule for a grant to the Milwaukee Foundation, Inc., for deposit in the High Point fund under s. 44.53 (1) (j).

**SECTION 226p.** 20.215 (1) (kb) of the statutes is repealed.

**SECTION 227.** 20.215 (1) (km) of the statutes is created to read:

20.215 **(1)** (km) *State aid for the arts; Indian gaming receipts.* The amounts in the schedule for grants–in–aid or contract payments to American Indian groups, individuals, organizations and institutions under s. 44.53 (1) (fm) and (2) (am). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4b. shall be credited to this appropriation account.

**SECTION 228.** 20.218 of the statutes is created to read:

**20.218 Public broadcasting corporation.** There is appropriated to the broadcasting corporation, as defined in s. 39.81 (2), for the following costs:

**(1)** EDUCATIONAL PROGRAMMING AND TRANSMISSION. (a) *General program operations.* The amounts in the schedule for educational programming for the elementary and secondary schools in this state and for transmission to remote and underserved areas of the state.

**SECTION 229m.** 20.225 (1) (a) of the statutes is amended to read:

20.225 **(1)** (a) *General program operations.* The amounts in the schedule to carry out its functions other than programming under ss. 39.11 and 39.13. <u>If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.</u>

**SECTION 230m.** 20.225 (1) (b) of the statutes is amended to read:

20.225 **(1)** (b) *Energy costs.* The amounts in the schedule to pay for utilities and for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and 16.895, by or on behalf of the board, and to repay to the energy efficiency fund loans made to the board under s. 16.847 (6). <u>If the secretary of administration determines</u>

that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 231m.** 20.225 (1) (c) of the statutes is amended to read:

20.225 **(1)** (c) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities approved by the building commission for operation by the educational communications board. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 232m.** 20.225 (1) (d) of the statutes is amended to read:

20.225 **(1)** (d) *Milwaukee* ~~*area technical college*~~ *Area Technical College*. The amounts in the schedule to contract with Milwaukee ~~area technical college~~ Area Technical College under s. 39.11 (18). If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 233m.** 20.225 (1) (eg) of the statutes is amended to read:

20.225 **(1)** (eg) *Transmitter construction.* As a continuing appropriation, the amounts in the schedule to construct national weather service transmitters. <u>If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.</u>

**SECTION 234m.** 20.225 (1) (er) of the statutes is amended to read:

20.225 **(1)** (er) *Transmitter operation.* The amounts in the schedule to operate the transmitter constructed with moneys appropriated under par. (eg). <u>If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.</u>

**SECTION 235m.** 20.225 (1) (f) of the statutes is amended to read:

20.225 **(1)** (f) *Programming.* The amounts in the schedule for programming under s. 39.11. <u>If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.</u>

**SECTION 236m.** 20.225 (1) (g) of the statutes is amended to read:

20.225 **(1)** (g) *Gifts, grants, contracts and leases.* All moneys received from gifts, grants, contracts and the lease of excess capacity to carry out the purposes for which received. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 237m.** 20.225 (1) (h) of the statutes is amended to read:

20.225 **(1)** (h) *Instructional material.* The amounts in the schedule for providing instructional materials under s. 39.11 (16). All moneys received from the sale of instructional material under s. 39.11 (16) and all moneys received under s. 39.115 (1) shall be credited to this appropriation. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 238m.** 20.225 (1) (k) of the statutes is amended to read:

20.225 **(1)** (k) *Funds received from other state agencies.* All moneys received from other state agencies to carry out the purposes for which received. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective

date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 239m.** 20.225 (1) (ka) of the statutes is repealed.

**SECTION 240m.** 20.225 (1) (kb) of the statutes is amended to read:

20.225 **(1)** (kb) *Emergency weather warning system operation.* From the moneys received by the department of administration for the provision of state telecommunications and data processing services and sale of telecommunications and data processing inventory items primarily to state agencies, the amounts in the schedule for the operation of the emergency weather warning system under s. 39.11 (21). If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 241m.** 20.225 (1) (m) of the statutes is amended to read:

20.225 **(1)** (m) *Federal grants.* All moneys received from the federal government as authorized by the governor under s. 16.54 for the purposes for which made and received. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), no moneys may be encumbered under this paragraph.

**SECTION 242.** 20.235 (1) (fb) of the statutes is renumbered 20.235 (1) (k) and amended to read:

20.235 **(1)** (k) *Indian student assistance.* Biennially, the amounts in the schedule to carry out the purposes of s. 39.38. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4i. shall be credited to this appropriation account.

**SECTION 244.** 20.235 (1) (km) of the statutes is created to read:

20.235 **(1)** (km) *Wisconsin higher education grants; tribal college students.* Biennially, the amounts in the schedule for the Wisconsin higher education grant program under s. 39.435 for tribal college students, except for grants awarded under s. 39.435 (2) or (5). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 10. shall be credited to this appropriation account.

**SECTION 244m.** 20.235 (2) (ka) of the statutes is repealed.

**SECTION 245m.** 20.235 (3) of the statutes is renumbered 20.485 (5), and 20.485 (5) (g), as renumbered, is amended to read:

20.485 **(5)** (g) *Proprietary school programs.* The amounts in the schedule for the examination and approval of proprietary school programs. All moneys received from the issuance of solicitor's permits under s. ~~39.51~~ 45.54 (8) and fees under s. ~~39.51~~ 45.54 (10) shall be credited to this appropriation.

**SECTION 246m.** 20.245 (1) (b) of the statutes is repealed.

**SECTION 247.** 20.245 (2) (km) of the statutes is created to read:

20.245 **(2)** (km) *Northern Great Lakes Center.* The amounts in the schedule for the operation of the Northern Great Lakes Center. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4h. shall be credited to this appropriation account.

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

20.245 **(3)** (c) *Neenah clock tower project.* Biennially, the amounts in the schedule for a grant to the city of Neenah under s. 44.02 (28). No moneys may be encumbered from this appropriation after June 30, 2001.

**SECTION 247g.** 20.245 (3) (e) of the statutes is created to read:

20.245 **(3)** (e) *Principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the grants under s. 44.49, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the grants under s. 44.49.

**SECTION 247k.** 20.245 (4) (f) of the statutes is repealed.

**SECTION 247m.** 20.245 (4) (ka) of the statutes is repealed.

**SECTION 248.** 20.245 (4) (y) of the statutes is renumbered 20.245 (2) (y), and 20.245 (2) (y) (title), as renumbered, is amended to read:

20.245 **(2)** (y) (title) *Northern Great Lakes Center*<u>*; interpretive programming*</u>.

**SECTION 249.** 20.250 (1) (c) of the statutes is repealed.

**SECTION 250m.** 20.250 (1) (k) of the statutes is created to read:

20.250 **(1)** (k) *Tobacco–related illnesses.* All moneys received from the department of health and family services under s. 255.15 (3) (a) 4., for tobacco use prevention and cessation activities.

**SECTION 252.** 20.255 (1) (hr) of the statutes is renumbered 20.255 (1) (kd) and amended to read:

20.255 **(1)** (kd) *Alcohol and other drug abuse program.* ~~All moneys received under s. 165.87 (1)~~ <u>The amounts in the schedule</u> for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). <u>All moneys transferred from the appropriation account under s. 20.505 (6) (j) 4. shall be credited to this appropriation account.</u>

**SECTION 252m.** 20.255 (1) (kt) of the statutes is repealed.

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

20.255 **(2)** (ac) *General equalization aids.* A sum sufficient for the payment of educational aids under ss. 121.08, 121.09 and 121.105 and subch. VI of ch. 121 equal to $3,318,488,800 in the 1997–98 fiscal year, equal to $3,460,133,800 in the 1998–99 fiscal year and equal to the amount determined by the joint committee on finance under s. 121.15 (3m) (c) in each fiscal year thereafter, less the amount appropriated under par. (bi) and less the amounts paid under ss. 118.40 (2r) (e) and 119.23 (4).

**SECTION 254.** 20.255 (2) (b) of the statutes is amended to read:

20.255 **(2)** (b) *Aids for special education and school age parents programs.* The amounts in the schedule for the payment of aids for ~~public and private school pupils~~ special education and school age parents programs under ss. 115.88, 115.93 and 118.255.

**SECTION 256.** 20.255 (2) (ci) of the statutes is renumbered 20.255 (2) (km) and amended to read:

20.255 **(2)** (km) *Alternative school American Indian language and culture education aid.* The amounts in the schedule for the payment of aid to alternative schools for American Indian language and culture education programs under s. 115.75. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11. shall be credited to this appropriation account.

**SECTION 257.** 20.255 (2) (cu) of the statutes is amended to read:

20.255 **(2)** (cu) *Achievement guarantee contracts.* The amounts in the schedule for aid to school districts and the program evaluation under s. 118.43. No funds may be encumbered from this appropriation after June 30, ~~2003~~ 2005.

**SECTION 258.** 20.255 (2) (d) of the statutes is repealed.

**SECTION 259.** 20.255 (2) (dc) of the statutes is repealed.

**SECTION 260.** 20.255 (2) (dm) (title) of the statutes is amended to read:

20.255 **(2)** (dm) (title) *Grants for ~~early~~ alcohol and other drug abuse prevention and intervention programs.*

**SECTION 261m.** 20.255 (2) (ec) of the statutes is repealed.

**SECTION 262.** 20.255 (2) (ed) of the statutes is repealed.

**SECTION 265.** 20.255 (2) (fy) of the statutes is repealed.

**SECTION 266.** 20.255 (2) (g) of the statutes is renumbered 20.255 (2) (kd) and amended to read:

20.255 **(2)** (kd) *Aid for alcohol and other drug abuse programs.* ~~All moneys received under s. 165.87 (1)~~ The amounts in the schedule for the purpose of s. 115.36 (3). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 5. shall be credited to this appropriation account.

**SECTION 266m.** 20.255 (2) (kh) of the statutes is created to read:

20.255 **(2)** (kh) *Head start supplement; federal block grant aids.* All moneys transferred from the appropriation account under s. 20.445 (3) (md) for the head start supplement under s. 115.3615.

**SECTION 267.** 20.255 (2) (kp) of the statutes is created to read:

20.255 **(2)** (kp) *Aid to Milwaukee Public Schools; federal block grant aids.* The amounts in the schedule for aid to the school district operating under ch. 119 under ss. 119.72 and 119.82, to be distributed according to the spending plan under s. 119.80. All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

**SECTION 268.** 20.255 (3) (eb) of the statutes is repealed.

**SECTION 269.** 20.255 (3) (ed) of the statutes is repealed.

**SECTION 270.** 20.255 (3) (ef) of the statutes is renumbered 20.445 (7) (ef) and amended to read:

20.445 **(7)** (ef) *School–to–work programs for children at risk.* The amounts in the schedule for grants to nonprofit organizations under s. ~~118.153 (3m)~~ 106.13 (4m).

**SECTION 270m.** 20.255 (3) (q) of the statutes is created to read:

20.255 **(3)** (q) *Periodical and reference information data bases.* From the universal service fund, the amounts in the schedule to contract for periodical and reference information data bases under s. 115.28 (26).

**SECTION 271.** 20.275 (1) (b) of the statutes is created to read:

20.275 **(1)** (b) *Foreign language instruction grants.* The amounts in the schedule for foreign language instruction grants under s. 44.72 (5).

**SECTION 272.** 20.275 (1) (er) of the statutes is amended to read:

20.275 **(1)** (er) *Principal, interest and rebates; general purpose revenue — public library boards.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing ~~subsidized~~ educational technology infrastructure ~~loans~~ financial assistance to public library boards under s. 44.72 (4) and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), to the extent that these costs and payments are not paid under par. (hb).

**SECTION 273.** 20.275 (1) (es) of the statutes is amended to read:

20.275 **(1)** (es) *Principal, interest and rebates; general purpose revenue — school districts.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing ~~subsidized~~ educational technology infrastructure ~~loans~~ financial assistance to school districts under s. 44.72 (4) and to make full payment of the amounts determined by the building commission under s.

13.488 (1) (m), to the extent that these costs and payments are not paid under par. (h).

**SECTION 273m.** 20.275 (1) (et) of the statutes is amended to read:

20.275 **(1)** (et) *Educational technology training and technical assistance grants.* ~~Biennially, the~~ The amounts in the schedule for grants to cooperative educational service agencies and consortia under s. 44.72 (1).

**SECTION 274.** 20.275 (1) (fs) of the statutes is repealed.

**SECTION 274m.** 20.275 (1) (gf) of the statutes is created to read:

20.275 **(1)** (gf) *Payments from telecommunications carriers; school districts.* All moneys received from telecommunications carriers in lieu of discounted service to school districts under 47 USC 254 to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (a) and, prior to July 1, 2002, to make grants to school districts under s. 44.73 (6). Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and par. (s), in the aggregate, may not exceed the amounts in the schedule for par. (s).

**SECTION 274r.** 20.275 (1) (gg) of the statutes is created to read:

20.275 **(1)** (gg) *Payments from telecommunications carriers; libraries.* All moneys received from telecommunications carriers in lieu of discounted service to libraries under 47 USC 254 to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (b). Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and par. (t), in the aggregate, may not exceed the amounts in the schedule for par. (t).

**SECTION 274t.** 20.275 (1) (gh) of the statutes is created to read:

20.275 **(1)** (gh) *Payments from telecommunications carriers; private schools.* All moneys received from telecommunications carriers in lieu of discounted service

to private schools under 47 USC 254 to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (c) and, prior to July 1, 2002, to make grants to private schools under s. 44.73 (6). Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and par. (tm), in the aggregate, may not exceed the amounts in the schedule for par. (tm).

**SECTION 275.** 20.275 (1) (gm) of the statutes is created to read:

20.275 **(1)** (gm) *Wisconsin advanced telecommunications foundation services.* All moneys received from the Wisconsin advanced telecommunications foundation to provide administrative services to the Wisconsin advanced telecommunications foundation under contracts under s. 44.71 (2) (bm).

**SECTION 276.** 20.275 (1) (h) of the statutes is amended to read:

20.275 **(1)** (h) *Principal, interest and rebates; program revenue — school districts.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing ~~subsidized~~ educational technology infrastructure ~~loans~~ financial assistance to school districts under s. 44.72 (4) and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m).

**SECTION 277.** 20.275 (1) (hb) of the statutes is amended to read:

20.275 **(1)** (hb) *Principal, interest and rebates; program revenue — public library boards.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing ~~subsidized~~ educational technology infrastructure ~~loans~~ financial assistance to public library boards under s. 44.72 (4) and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m).

**SECTION 278.** 20.275 (1) (L) of the statutes is amended to read:

20.275 **(1)** (L) *Equipment purchases and leases.* All moneys received from school districts, cooperative educational service agencies and public educational institutions for the purchase or lease of educational technology equipment under s. 44.71 (2) ~~(h)~~ (a) 8., for the purpose of purchasing such equipment.

**SECTION 279m.** 20.275 (1) (s) of the statutes is amended to read:

20.275 **(1)** (s) *~~Educational telecommunications~~ Telecommunications access ~~support~~; school districts~~, cooperative educational service agencies and technical college districts~~.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (a) to the extent that the amounts due are not paid from the ~~appropriation~~ appropriations under par. (gf) and s. 20.505 (1) (is) and, prior to July 1, 2002, to the extent that the amounts due school districts are not paid from the appropriation under par. (gf), to make grants to school districts under s. ~~196.218 (4r) (g)~~ 44.73 (6).

**SECTION 280m.** 20.275 (1) (t) of the statutes is amended to read:

20.275 **(1)** (t) *~~Educational telecommunications~~ Telecommunications access ~~support~~; private and technical colleges and ~~public library boards~~ libraries.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (b) to the extent that the amounts due are not paid from the ~~appropriation~~ appropriations under par. (gg) and s. 20.505 (1) (is).

**SECTION 281m.** 20.275 (1) (tm) of the statutes is amended to read:

20.275 **(1)** (tm) *~~Educational telecommunications~~ Telecommunications access ~~support~~; private schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts

with the department of administration under s. 16.974 (7) (c) to the extent that the amounts due are not paid from the ~~appropriation~~ appropriations under par. (gh) and s. 20.505 (1) (is) and, prior to July 1, 2002, to the extent that the amounts due private schools are not paid from the appropriation under par. (gh), to make grants to private schools under s. ~~196.218 (4r) (g)~~ 44.73 (6).

**SECTION 283.** 20.275 (1) (tu) of the statutes is created to read:

20.275 **(1)** (tu) *Telecommunications access; state schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (d) to the extent that the amounts due are not paid from the appropriation under s. 20.505 (1) (kL).

**SECTION 283m.** 20.275 (1) (u) of the statutes is repealed.

**SECTION 285.** 20.285 (1) (b) of the statutes is amended to read:

20.285 **(1)** (b) *Area health education ~~center~~ centers.* The amounts in the schedule ~~for the~~ to operate and implement jointly with the Medical College of Wisconsin area health education ~~center at the University of Wisconsin–Madison under s. 36.25 (37)~~ centers and projects. Beginning October 1, 1999, the area health education centers and projects shall be implemented and operated solely by the board of regents of the University of Wisconsin System.

**SECTION 286m.** 20.285 (1) (er) of the statutes is created to read:

20.285 **(1)** (er) *Grants for study abroad.* The amounts in the schedule for grants for study abroad under s. 36.36.

**SECTION 290.** 20.285 (1) (gm) of the statutes is repealed.

**SECTION 291.** 20.285 (1) (h) of the statutes is amended to read:

20.285 **(1)** (h) *Auxiliary enterprises.* Except as provided under ~~par. (gm) and~~ subs. (5) (i) and (6) (g), all moneys received by the university of Wisconsin system for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph, to be used for the operation, maintenance and capital expenditures of activities specified in this paragraph, including the transfer of funds to pars. (kd) and (ke) and to nonprofit building corporations to be used by the corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, and for optional rental payments in addition to the mandatory rental payments under the leases and subleases in connection with the providing of facilities for such activities. A separate account shall be maintained for each campus and extension. Upon the request of the extension or any campus within the system, the board of regents may transfer surplus moneys appropriated under this paragraph to the appropriation account under par. (kp).

**SECTION 292f.** 20.285 (1) (kc) of the statutes is repealed.

**SECTION 292m.** 20.285 (1) (kf) of the statutes is created to read:

20.285 **(1)** (kf) *Outdoors skills training.* The amounts in the schedule for outdoors skills training under s. 29.598. All moneys transferred from the appropriation account under s. 20.370 (1) (mu) shall be credited to this appropriation account.

**SECTION 293.** 20.285 (1) (km) of the statutes is created to read:

20.285 **(1)** (km) *Aquaculture demonstration facility; principal repayment and interest.* The amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the aquaculture demonstration facility enumerated under 1999 Wisconsin Act .... (this act), section 9107 (1) (i) 3. and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing that facility. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 1c. shall be credited to this appropriation account.

**SECTION 294.** 20.285 (1) (kn) of the statutes is created to read:

20.285 **(1)** (kn) *Aquaculture demonstration facility; operational costs.* The amounts in the schedule for the operational costs of the aquaculture demonstration facility enumerated under 1999 Wisconsin Act .... (this act), section 9107 (1) (i) 3. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11a. shall be credited to this appropriation account.

**SECTION 294g.** 20.285 (1) (kr) of the statutes is created to read:

20.285 **(1)** (kr) *University of Wisconsin center for tobacco research and intervention.* All moneys received from the department of health and family services under s. 255.15 (3) (a) 1., to advance the work of the tobacco research and intervention center at the University of Wisconsin–Madison in developing new educational programs to discourage tobacco use, determining the most effective strategies for preventing tobacco use and expanding smoking cessation programs throughout the state.

**SECTION 294m.** 20.285 (1) (ks) of the statutes is created to read:

20.285 **(1)** (ks) *Extension local planning program*. The amounts in the schedule for the University of Wisconsin–Extension local planning program under s. 36.11 (37) and for development of a model ordinance for traditional neighborhood development under s. 66.034. All moneys transferred from the appropriation account under s. 20.505 (1) (kh) shall be credited to this appropriation account.

**SECTION 294r.** 20.285 (1) (La) of the statutes is created to read:

20.285 **(1)** (La) *Public broadcasting*. All moneys received from the broadcasting corporation, as defined in s. 39.81 (2), for the purpose of providing services to such corporation under an agreement under s. 36.25 (5) (c) 2.

**SECTION 295m.** 20.285 (1) (qd) of the statutes is created to read:

20.285 **(1)** (qd) *Ginseng research*. Biennially, from the agrichemical management fund, the amounts in the schedule to research the properties of ginseng that grows in this state. No moneys may be encumbered under this paragraph after June 30, 2001.

**SECTION 297m.** 20.285 (3) (ka) of the statutes is repealed.

**SECTION 298.** 20.285 (4) (de) of the statutes is repealed.

**SECTION 299.** 20.292 (1) (cm) of the statutes is repealed.

**SECTION 299m.** 20.292 (1) (cw) of the statutes is created to read:

20.292 **(1)** (cw) *La Crosse Health Science Center*. The amounts in the schedule for Western Wisconsin Technical College's share of the costs of the La Crosse Health Science Center. No moneys may be encumbered from this appropriation after June 30, 2001.

**SECTION 300.** 20.292 (1) (d) of the statutes is amended to read:

20.292 **(1)** (d) *State aid for technical colleges*<u>*; statewide guide*</u>. The amounts in the schedule for state aids for technical college districts and technical colleges,

including area schools and programs established and maintained under the supervision of the board ~~to be distributed,~~ under s. 38.28 (2) (b), and for production and distribution of the statewide guide under s. 38.04 (18). Of the amount in the schedule for each fiscal year not exceeding $50,000 may be spent by the board to match federal funds made available for technical education by any act of congress for the purposes set forth in such act and no more than $125,000 may be spent by the board to produce and distribute the statewide guide under s. 38.04 (18). If, in any fiscal year, actual program fees raised under s. 38.24 (1m) exceed board estimates, the increase shall be used to offset actual district aidable cost.

**SECTION 302.** 20.292 (1) (gt) of the statutes is amended to read:

20.292 **(1)** (gt) *Telecommunications retraining.* All moneys received under s. 38.42 (4) to fund telecommunications retraining grants under s. 38.42 (5). This paragraph does not apply after June 30, ~~1999~~ 2000.

**SECTION 302m.** 20.292 (1) (kc) of the statutes is repealed.

**SECTION 303g.** 20.315 (1) (g) and (ka) of the statutes are repealed.

**SECTION 303m.** 20.320 (1) (c) of the statutes is amended to read:

20.320 **(1)** (c) *Principal repayment and interest — clean water fund program.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and the urban storm water loan program under s. 281.595.

**SECTION 303p.** 20.320 (1) (q) of the statutes is amended to read:

20.320 **(1)** (q) *Clean water fund program revenue obligation funding.* As a continuing appropriation, all proceeds from revenue obligations issued under subch. II or IV of ch. 18, as authorized under s. 281.59 (4) and deposited in the fund in the

state treasury created under s. 18.57 (1), providing for reserves and for expenses of issuance and management of the revenue obligations, and the remainder to be transferred to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and the urban storm water loan program under s. 281.595. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

**SECTION 303q.** 20.320 (1) (s) of the statutes is amended to read:

20.320 **(1)** (s) *Clean water fund program financial assistance.* From the environmental improvement fund, a sum sufficient for the purposes of providing clean water fund program financial assistance under s. 281.58 and urban storm water loan program assistance under s. 281.595.

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

20.320 **(1)** (t) *Principal repayment and interest — clean water fund program bonds.* From the environmental improvement fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and the urban storm water loan program under s. 281.595. Fifty percent of all moneys received from municipalities as payment of interest on loans or portions of loans under ~~s.~~ ss. 281.58 and 281.595 the revenues of which have not been pledged to secure revenue obligations shall be credited to this appropriation account.

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

20.320 **(1)** (x) *Clean water fund program financial assistance; federal.* From the clean water fund program federal revolving loan fund account in the environmental improvement fund, all moneys received from the federal government

to provide financial assistance under the clean water fund program under s. 281.58 and under the urban storm water loan program under s. 281.595, as authorized by the governor under s. 16.54, except moneys appropriated under par. (y), for financial assistance under the clean water fund program under s. 281.58 and under the urban storm water loan program under s. 281.595.

**SECTION 304.** 20.320 (3) of the statutes is created to read:

20.320 **(3)** PRIVATE SEWAGE SYSTEM PROGRAM. (q) *Private sewage system loans.* From the environmental improvement fund, as a continuing appropriation, the amounts in the schedule for private sewage system replacement or rehabilitation loans under s. 145.245 (12m).

**SECTION 305m.** 20.360 (1) (ka) of the statutes is repealed.

**SECTION 306.** 20.370 (1) (ct) of the statutes is created to read:

20.370 **(1)** (ct) *Timber sales contracts — repair and reimbursement costs.* All moneys received by the department as sureties under s. 28.05 (1) to be used to repair damage and recover costs incurred by the improper performance of timber sales contracts and to reimburse persons who provide sureties as provided in s. 28.05 (1).

**SECTION 306m.** 20.370 (1) (fs) of the statutes is amended to read:

20.370 **(1)** (fs) *Endangered resources — voluntary payments; sales, leases and fees.* As a continuing appropriation, from moneys received as amounts designated under ~~s.~~ ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ~~s.~~ ss. 71.10 (5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources derived from the land in the state natural areas system and all moneys received from fees collected under ss. 23.27 (3) (b), 29.563 (10) and 341.14 (6r) (b) 5., for the purposes of the endangered resources program, as defined under ~~s.~~ ss. 71.10 (5) (a) 2. and 71.30 (10) (a) 2. Three percent of the moneys certified under ~~s.~~ ss. 71.10 (5) (h) 4. and 71.30

(10) (h) 3. in each fiscal year~~, but not exceed $100,000,~~ and 3% of the fees received under s. 341.14 (6r) (b) 5. in each fiscal year shall be allocated for wildlife damage control and payment of claims for damage associated with endangered or threatened species, except that this combined allocation may not exceed $100,000 per fiscal year.

**SECTION 307.** 20.370 (1) (hk) of the statutes is created to read:

20.370 **(1)** (hk) *Elk management.* From the general fund, the amounts in the schedule for the costs associated with the management of the elk population in this state and for the costs associated with the transportation of elk brought into the state. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8g. shall be credited to this appropriation account.

**SECTION 308.** 20.370 (1) (iu) of the statutes is created to read:

20.370 **(1)** (iu) *Gravel pit reclamation.* All moneys received under s. 23.20 to be used to reclaim gravel pits and similar facilities on property under the jurisdiction of the department of natural resources.

**SECTION 308k.** 20.370 (1) (Lk) of the statutes is created to read:

20.370 **(1)** (Lk) *Wild crane management.* From the general fund, the amounts in the schedule for the study on crop damage by cranes under 1999 Wisconsin Act .... (this act), section 9136 (10m), and for the costs associated with reintroducing whooping cranes into the state. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8i. shall be credited to this appropriation account.

**SECTION 308L.** 20.370 (1) (Lk) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

20.370 **(1)** (Lk) *Wild crane management.* From the general fund, the amounts in the schedule for ~~the study on crop damage by cranes under 1999 Wisconsin Act .... (this act), section 9136 (10m) and for~~ the costs associated with reintroducing

whooping cranes into the state. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8i. shall be credited to this appropriation account.

**SECTION 308m.** 20.370 (1) (Lt) of the statutes is created to read:

20.370 **(1)** (Lt) *Wildlife management.* The amounts in the schedule for wildlife management activities in forested areas of this state.

**SECTION 309.** 20.370 (1) (mt) of the statutes is created to read:

20.370 **(1)** (mt) *Land preservation and management — endowment fund.* From the natural resources land endowment fund, a sum sufficient for preserving, developing, managing or maintaining land as provided in s. 23.0918 (2).

**SECTION 309e.** 20.370 (1) (mu) of the statutes is amended to read:

20.370 **(1)** (mu) *General program operations — state funds.* The amounts in the schedule for general program operations that do not relate to the management and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and 29 <u>and for transfers to the appropriation account under s. 20.285 (1) (kf)</u>.

**SECTION 312.** 20.370 (3) (ak) of the statutes is created to read:

20.370 **(3)** (ak) *Law enforcement — snowmobile enforcement and safety training; service funds.* From the general fund, the amounts in the schedule for snowmobile enforcement operations under ss. 350.055, 350.12 (4) (a) 2m., 3. and 3m. and 350.155 and for safety training and fatality reporting. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8k. shall be credited to this appropriation account.

**SECTION 313.** 20.370 (3) (aq) of the statutes is amended to read:

20.370 **(3)** (aq) *Law enforcement — snowmobile enforcement and safety training.* The amounts in the schedule from the snowmobile account in the

conservation fund for state law enforcement operations ~~and~~ under ss. 350.055, 350.12 (4) (a) 2m., 3. and 3m. and 350.155 and for safety training and fatality reporting.

**SECTION 313i.** 20.370 (3) (ar) of the statutes is amended to read:

20.370 **(3)** (ar) *Law enforcement — boat enforcement and safety training.* Annually, from the moneys received under s. 30.52 (3) and (3e), the amounts in the schedule for boat law enforcement by the state and for boat safety training.

**SECTION 314.** 20.370 (3) (at) of the statutes is created to read:

20.370 **(3)** (at) *Education and safety programs.* Fifty percent of all moneys remitted to the department of natural resources under s. 29.591 (3) and all moneys remitted to the department under ss. 23.33 (5) (d), 30.74 (1) (b) and 350.055 for programs or courses of instruction under ss. 23.33 (5) (d), 29.591, 30.74 (1) (a) and 350.055.

**SECTION 317.** 20.370 (4) (bg) of the statutes is created to read:

20.370 **(4)** (bg) *Water regulation and zoning — computer access fees.* From the general fund, all moneys received under s. 23.322 from fees collected for providing computer accessible information.

**SECTION 318.** 20.370 (4) (kk) of the statutes is created to read:

20.370 **(4)** (kk) *Fishery resources for ceded territories.* From the general fund, the amounts in the schedule for the management of the state's fishery resources within an area where federally recognized American Indian tribes or bands domiciled in this state hold treaty–based, off–reservation rights to fish and for liaison activities with these tribes or bands that relate to fishery resources. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8d. shall be credited to this appropriation account.

**SECTION 318g.** 20.370 (4) (mt) of the statutes is amended to read:

20.370 **(4)** (mt) *General program operations — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for general program operations under s. 281.58, 281.59, 281.595, 281.60, 281.61 or 281.62.

**SECTION 318j.** 20.370 (4) (mx) of the statutes is amended to read:

20.370 **(4)** (mx) *General program operations — clean water fund program; federal funds.* As a continuing appropriation, from the clean water fund program federal revolving loan fund account in the environmental improvement fund, the amounts in the schedule for general program operations of the clean water fund program and the urban storm water loan program under ~~s.~~ ss. 281.58 ~~or,~~ 281.59 and 281.595.

**SECTION 318m.** 20.370 (5) (at) of the statutes is created to read:

20.370 **(5)** (at) *Ice age trail area grants.* The amounts in the schedule for the ice age trail area grants under s. 23.295.

**SECTION 318r.** 20.370 (5) (ay) of the statutes is created to read:

20.370 **(5)** (ay) *Resource aids — urban land conservation.* The amounts in the schedule for the annual grant to a nonstock, nonprofit corporation under s. 23.0957.

**SECTION 319.** 20.370 (5) (by) of the statutes is amended to read:

20.370 **(5)** (by) *Resource aids — fire suppression grants.* The amounts in the schedule for grants for fire suppression clothing, supplies, equipment and vehicles under s. 26.145. ~~No moneys may be encumbered under this paragraph after June 30, 1999.~~

**SECTION 319b.** 20.370 (5) (cb) of the statutes is created to read:

20.370 **(5)** (cb) *Recreation aids — snowmobile trail and area aids; general fund.* From the general fund, the amounts in the schedule for the purposes specified under s. 350.12 (4) (b).

**SECTION 319g.** 20.370 (5) (cq) of the statutes, as affected by 1997 Wisconsin Act 27, section 378no, is amended to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system <u>and the Portage canal</u> under s. 31.309<u>, for activities relating to aquatic nuisance species under s. 30.1255 (4)</u> and for the engineering and environmental study under s. 31.307.

**SECTION 319h.** 20.370 (5) (cq) of the statutes, as affected by 1997 Wisconsin Act 237, section 35, is amended to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system <u>and the Portage canal</u> under s. 31.309<u>, for activities relating to aquatic nuisance species under s. 30.1255 (4)</u> and for the engineering and environmental study under s. 31.307.

**SECTION 319j.** 20.370 (5) (cq) of the statutes, as affected by 1999 Wisconsin Act .... (this act), sections 319g and 319h, is repealed and recreated to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the

Portage levee system and the Portage canal under s. 31.309 and for the engineering and environmental study under s. 31.307.

**SECTION 322.** 20.370 (5) (fq) of the statutes is amended to read:

20.370 **(5)** (fq) *Wildlife damage claims and abatement.* All moneys received under ss. 29.181 (3), 29.559 (1r) (b) and 29.563 (13) and not appropriated under par. (fr) and sub. (1) (Ls) to provide state aid ~~under~~ for the wildlife damage abatement program under s. 29.889 (5) (c) and the wildlife damage claim program under s. 29.889 (7) (d) ~~and~~, for county administration costs under s. 29.889 (2) (d) and for payments under s. 29.89.

**SECTION 322p.** 20.370 (6) (aa) of the statutes is amended to read:

20.370 **(6)** (aa) *Environmental aids; nonpoint source.* Biennially, the amounts in the schedule for grants and assistance under the nonpoint source water pollution abatement program under s. 281.65 ~~and for transfers to the appropriation account under s. 20.115 (7) (km) as provided in s. 281.65 (4) (t). Beginning in fiscal year 1999–2000, the department may not expend more than 50% of the funds appropriated under this paragraph in each fiscal year for local assistance~~. The department shall allocate $300,000 in each fiscal year from this appropriation for grants under s. 281.65 (8) (cm).

**SECTION 323v.** 20.370 (6) (aq) of the statutes is amended to read:

20.370 **(6)** (aq) *Environmental aids — nonpoint source program.* Biennially, from the environmental fund, the amounts in the schedule for nonpoint source grants and assistance under s. 281.65 ~~and for transfers to the appropriation account under s. 20.115 (7) (km) as provided in s. 281.65 (4) (t)~~.

**SECTION 324g.** 20.370 (6) (ar) of the statutes is amended to read:

20.370 **(6)** (ar) *Environmental aids — lake ~~management grants~~ protection*. From the conservation fund, as a continuing appropriation, the amounts in the schedule for ~~lake management~~ grants and contracts under ~~s.~~ ss. 281.68 and 281.69.

**SECTION 324r.** 20.370 (6) (as) of the statutes is repealed.

**SECTION 325b.** 20.370 (6) (au) of the statutes is created to read:

20.370 **(6)** (au) *Environmental aids — river protection; environmental fund*. From the environmental fund, as a continuing appropriation, the amounts in the schedule for river protection grants under s. 281.70. Notwithstanding 20.001 (3) (a), on June 30 of each fiscal year the unencumbered balance in this appropriation account shall be transferred to the appropriation account under par. (ar).

**SECTION 325m.** 20.370 (6) (av) of the statutes is created to read:

20.370 **(6)** (av) *Environmental aids — river protection; conservation fund*. From the conservation fund, as a continuing appropriation, the amounts in the schedule for river protection grants and contracts under s. 281.70. Notwithstanding s. 20.001 (3) (a), on June 30 of each fiscal year the unencumbered balance in this appropriation account shall be transferred to the appropriation account under par. (ar).

**SECTION 325p.** 20.370 (6) (aw) of the statutes is created to read:

20.370 **(6)** (aw) *Environmental aids — river protection, nonprofit organization contracts*. From the conservation fund, as a continuing appropriation, the amounts in the schedule for contracts under s. 281.72.

**SECTION 326.** 20.370 (6) (bq) 9. of the statutes is amended to read:

20.370 **(6)** (bq) 9. In fiscal year 1999–2000, ~~$231,749,200~~ $227,749,200 plus the amount of any refunds under s. 287.23 in prior fiscal years, less the amount encumbered under subds. 1. to 8.

**SECTION 327.** 20.370 (6) (bq) 10. of the statutes is created to read:

20.370 **(6)** (bq) 10. In fiscal year 2000–01, $242,749,200 plus the amount of any refunds under s. 287.23 in prior fiscal years, less the amount encumbered under subds. 1. to 9.

**SECTION 328.** 20.370 (6) (br) of the statutes is amended to read:

20.370 **(6)** (br) *Environmental aids — waste reduction and recycling demonstration grants.* From the recycling fund, as a continuing appropriation, the amounts in the schedule for waste reduction and recycling demonstration grants under s. 287.25 and the grants required under ~~1997 Wisconsin Act 237, section 9136 (2f)~~ 1999 Wisconsin Act .... (this act), section 9136 (9).

**SECTION 329.** 20.370 (6) (ck) of the statutes is created to read:

20.370 **(6)** (ck) *Environmental aids — drinking water study.* The amounts in the schedule for the drinking water study under 1999 Wisconsin Act .... (this act), section 9136 (4). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17g. shall be credited to this appropriation account.

**SECTION 330.** 20.370 (6) (ck) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 331.** 20.370 (6) (dk) of the statutes is created to read:

20.370 **(6)** (dk) *Environmental aids — Oneida Nation; Indian gaming.* The amounts in the schedule for nonpoint grants and assistance to the Oneida Nation of Chippewa under s. 281.65. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17e. shall be credited to this appropriation account.

**SECTION 331d.** 20.370 (6) (dq) of the statutes is created to read:

20.370 **(6)** (dq) *Environmental aids – urban nonpoint source.* From the environmental fund, the amounts in the schedule to provide financial assistance for

urban nonpoint source water pollution abatement and storm water management under s. 281.66.

**SECTION 331e.** 20.370 (6) (dr) of the statutes is created to read:

20.370 **(6)** (dr) *Environmental aids – municipal flood control and riparian restoration.* From the environmental fund, the amounts in the schedule to provide financial assistance for municipal flood control and riparian restoration under s. 281.665.

**SECTION 332.** 20.370 (6) (eq) of the statutes is amended to read:

20.370 **(6)** (eq) *Environmental aids — dry cleaner environmental response.* ~~From~~ Biennially, from the dry cleaner environmental response fund, the amounts in the schedule for financial assistance under ss. 292.65 and 292.66 and to make transfers required under s. 292.65 (11).

**SECTION 332e.** 20.370 (6) (er) of the statutes is created to read:

20.370 **(6)** (er) *Environmental aids — sustainable urban development zones.* Biennially, from the environmental fund, the amounts in the schedule for the sustainable urban development zone program under s. 292.77.

**SECTION 333.** 20.370 (6) (et) of the statutes is created to read:

20.370 **(6)** (et) *Environmental aids — brownfield site assessment.* Biennially, from the environmental fund, the amounts in the schedule for brownfield site assessment grants under s. 292.75.

**SECTION 333b.** 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin Act 27, section 412, is amended to read:

20.370 **(7)** (aa) *Resource acquisition and development — principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill

under s. 30.203, in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice age trail development under s. 20.866 (2) (tw) ~~and~~, in ~~funding~~ financing the Warren Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 20.866 (2) (ta), but not including payments made under ~~sub. (7)~~ pars. (ac) and (au).

**SECTION 333f.** 20.370 (7) (au) of the statutes is created to read:

20.370 **(7)** (au) *State forest acquisition and development — principal repayment and interest.* From the conservation fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition and development for state forests from the appropriations under s. 20.866 (2) (ta) and (tz).

**SECTION 333n.** 20.370 (7) (ce) of the statutes is amended to read:

20.370 **(7)** (ce) *Principal repayment and interest — nonpoint source ~~compliance~~.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing nonpoint source ~~compliance~~ projects under s. 20.866 (2) (tf) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects.

**SECTION 333p.** 20.370 (7) (cf) of the statutes is created to read:

20.370 **(7)** (cf) *Principal repayment and interest — urban nonpoint source cost–sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of

principal and interest costs incurred in financing cost–sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 20.866 (2) (th) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those grants.

**SECTION 333r.** 20.370 (7) (da) of the statutes is created to read:

20.370 **(7)** (da) *Principal repayment and interest — municipal flood control and riparian restoration cost–sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing cost–sharing grants for municipal flood control and riparian restoration projects under s. 20.866 (2) (ti) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those grants.

**SECTION 334.** 20.370 (7) (fk) of the statutes is created to read:

20.370 **(7)** (fk) *Resource acquisition and development — service funds; transportation moneys.* All moneys received by the department from the department of transportation for the acquisition of land for, or for construction or development of, facilities, or for materials or services provided by the department, to pay for expenses associated with those facilities, materials or services.

**SECTION 335m.** 20.370 (8) (mh) of the statutes is repealed.

**SECTION 336.** 20.370 (8) (mt) of the statutes is amended to read:

20.370 **(8)** (mt) *Equipment pool operations.* All moneys received by the department from the department or from other state agencies from car, truck, airplane, heavy equipment, information technology or radio pools for operation,

maintenance, replacement and purchase of vehicles, equipment, radio services and information technology.

**SECTION 337.** 20.370 (9) (hk) of the statutes is created to read:

20.370 **(9)** (hk) *Approval fees to Lac du Flambeau band–service funds.* From the general fund, the amounts in the schedule for the purpose of making payments to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r. shall be credited to this appropriation account.

**SECTION 338.** 20.370 (9) (ht) of the statutes is amended to read:

20.370 **(9)** (ht) *Approval fees to Lac du Flambeau band.* A sum sufficient that is equal to the amount ~~calculated under s. 29.2295 (4) (b), for the purpose of making~~ necessary to make full payments to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) ~~(a)~~ (c) 2.

**SECTION 339.** 20.370 (9) (hu) of the statutes is amended to read:

20.370 **(9)** (hu) *Handling and other fees.* All moneys received by the department under ~~s.~~ ss. 23.33 (2) (o), 29.556, 30.52 (1m) (e) and 350.12 (3h) (g) for ~~the handling of approvals by the department under s. 29.556~~ licensing, for the issuing and renewing of certificates by the department under ss. 23.33 (2) (i), 30.52 (1m) and 350.12 (3h).

**SECTION 341h.** 20.370 (9) (mt) of the statutes is amended to read:

20.370 **(9)** (mt) *Aids administration — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for the administration of ss. 281.58, ~~280.60~~ 281.595, 281.60, 281.61 and 281.62.

**SECTION 341k.** 20.370 (9) (mx) of the statutes is amended to read:

20.370 **(9)** (mx) *Aids administration — clean water fund program; federal funds.* From the clean water fund program federal revolving loan fund account in the environmental improvement fund, all moneys received from the federal government to administer the clean water fund program and the urban storm water loan program, as authorized by the governor under s. 16.54, for the administration of the clean water fund program and the urban storm water loan program under ~~s.~~ ss. 281.58 ~~or,~~ 281.59 and 281.595.

**SECTION 342.** 20.380 (1) (b) of the statutes is amended to read:

20.380 **(1)** (b) *Tourism marketing; general purpose revenue.* The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 and the grants under 1997 Wisconsin Act 27, section 9148 (2f) and (2x). In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (kg) in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year. Of the amounts under this paragraph, not more than 50% shall be used to match funds allocated under s. 41.17 by private or public organizations for the joint effort marketing of tourism with the state. The department shall expend at least $125,000 in each fiscal year from this appropriation to conduct or contract for marketing activities related to sporting activities and events. Of the amounts in the schedule, $25,000 shall be allocated in each fiscal year for state sponsorship of, and advertising during, media broadcasts of the Milwaukee symphony. Of the amounts in the schedule, $50,000 shall be allocated in each fiscal year for grants to America's Black Holocaust Museum in the city of Milwaukee.

**SECTION 342m.** 20.380 (1) (kd) of the statutes is repealed.

**SECTION 343.** 20.380 (1) (kg) of the statutes is created to read:

20.380 **(1)** (kg) *Tourism marketing; gaming revenue.* All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6. for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 and for the grant under 1999 Wisconsin Act .... (this act), section 9149 (1to). In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (b) in that fiscal year bears to the amount in the schedule for par. (b) for that fiscal year. Of the amounts in the schedule, $200,000 shall be allocated in each fiscal year for grants to the Milwaukee Public Museum for Native American exhibits and activities.

**SECTION 343d.** 20.380 (1) (km) of the statutes is created to read:

20.380 **(1)** (km) *Tourist information assistant.* The amounts in the schedule to pay for a tourist information assistant. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6. shall be credited to this appropriation account.

**SECTION 344.** 20.395 (1) (cq) of the statutes is amended to read:

20.395 **(1)** (cq) *Elderly and disabled capital aids, state funds.* ~~The~~ <u>As a continuing appropriation, the</u> amounts in the schedule for specialized transportation capital assistance for the elderly and disabled under s. 85.22.

**SECTION 344m.** 20.395 (1) (hq) of the statutes is amended to read:

20.395 **(1)** (hq) *Tier A transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. This paragraph does not apply after December 31, 1999.

**SECTION 345gm.** 20.395 (1) (ht) of the statutes is created to read:

20.395 **(1)** (ht) *Tier A–1 transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. cm.

**SECTION 345gr.** 20.395 (1) (hu) of the statutes is created to read:

20.395 **(1)** (hu) *Tier A–2 transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. d.

**SECTION 345m.** 20.395 (2) (ct) of the statutes is created to read:

20.395 **(2)** (ct) *Passenger railroad station improvement grants, state funds.* Biennially, the amounts in the schedule to make passenger railroad station improvement grants under s. 85.055.

**SECTION 345n.** 20.395 (2) (cu) of the statutes is created to read:

20.395 **(2)** (cu) *Passenger railroad station improvement grants, local funds.* All moneys received from any local unit of government or other sources for passenger railroad station improvements under s. 85.055, for such purposes.

**SECTION 346.** 20.395 (2) (dq) of the statutes is amended to read:

20.395 **(2)** (dq) *Aeronautics assistance, state funds.* As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under ss. 114.34 and 114.35; for developing air marking and other air navigational facilities; for administration of the powers and duties of the secretary of transportation under s. 114.31; for costs associated with aeronautical activities under s. 114.31, except for the program under s. 114.31 (3) (b); and for the

administration of other aeronautical activities, except aircraft registration under s. 114.20, authorized by law.

**SECTION 346c.** 20.395 (2) (ds) of the statutes is created to read:

20.395 **(2)** (ds) *Aviation career education, state funds.* The amounts in the schedule for an aviation career education program under s. 114.31 (3) (b).

**SECTION 346m.** 20.395 (2) (gr) of the statutes is amended to read:

20.395 **(2)** (gr) *Railroad crossing improvement and protection installation, state funds.* As a continuing appropriation, the amounts in the schedule to pay the costs for railroad crossing protection improvements under s. 195.28 (2) and for the installation of railroad crossing gates under 1999 Wisconsin Act .... (this act), section 9150 (9g).

**SECTION 346q.** 20.395 (2) (gx) of the statutes is amended to read:

20.395 **(2)** (gx) *Railroad crossing improvement, federal funds.* All moneys received from the federal government for the purposes of railroad crossing protection under s. 195.28 and for the purposes of railroad crossing gates under 1999 Wisconsin Act .... (this act), section 9150 (9g), for such purposes.

**SECTION 347.** 20.395 (2) (ny) of the statutes is created to read:

20.395 **(2)** (ny) *Milwaukee lakeshore walkway, federal funds.* Biennially, from the moneys received from the federal government under P.L. 102–240, section 1045, and P.L. 105–277, section 373, the amounts in the schedule for the purpose of awarding grants under 1999 Wisconsin Act .... (this act), section 9150 (3). No moneys may be encumbered under this paragraph after June 30, 2002.

**SECTION 348.** 20.395 (3) (cq) of the statutes is amended to read:

20.395 **(3)** (cq) *State highway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk

and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at–grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8); ~~and~~ for the disadvantaged business demonstration and training program under s. 84.076; for the transfers required under 1999 Wisconsin Act .... (this act), section 9250 (1); and for the purposes described under 1999 Wisconsin Act .... (this act), section 9150 (7e) and (8g).

**SECTION 349.** 20.395 (3) (eq) of the statutes is amended to read:

20.395 **(3)** (eq) *Highway maintenance, repair and traffic operations, state funds.* Biennially, the amounts in the schedule for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; ~~for the grant under 1997 Wisconsin Act 27, section 9149 (3d)~~ for the scenic byway program under s. 84.106; and for the disadvantaged business demonstration and training program under s. 84.076. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

**SECTION 350.** 20.395 (3) (ev) of the statutes is amended to read:

20.395 **(3)** (ev) *Highway maintenance, repair and traffic operations, local funds.* All moneys received from any local unit of government or other sources for

the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for signing under s. 86.195; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; for the scenic byway program under s. 84.106; and for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

**SECTION 351.** 20.395 (3) (ex) of the statutes is amended to read:

20.395 **(3)** (ex) *Highway maintenance, repair and traffic operations, federal funds.* All moneys received from the federal government for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; for the scenic byway program under s. 84.106; and for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

**SECTION 352.** 20.395 (3) (ix) of the statutes is amended to read:

20.395 **(3)** (ix) *Administration and planning, federal funds.* All moneys received from the federal government for the administration and planning of departmental programs under subs. (1) to (3) and to transfer to the appropriation account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z).

**SECTION 352m.** 20.395 (4) (as) of the statutes is repealed.

**SECTION 354.** 20.395 (4) (bh) of the statutes is repealed.

**SECTION 354m.** 20.395 (5) (cL) of the statutes is created to read:

20.395 **(5)** (cL) *Licensing fees, state funds.* From the general fund, all moneys received under s. 341.14 (6r) (b) 7. a. for the purpose of making payments of licensing fees under s. 341.14 (6r) (h).

**SECTION 355.** 20.395 (5) (cq) of the statutes is amended to read:

20.395 **(5)** (cq) *Vehicle registration, inspection and maintenance ~~and~~, driver licensing and aircraft registration, state funds.* The amounts in the schedule for administering the vehicle registration and driver licensing program, including the traffic violation and registration program and the driver license reinstatement training program under s. 85.28, for administering the motor vehicle emission inspection and maintenance program under s. 110.20, for the training of inspectors under s. 110.22, for administering the fuel tax and fee reporting program under s. 341.45, for administering the aircraft registration program under s. 114.20 and to compensate for services performed, as determined by the secretary of transportation, by any county providing registration services.

**SECTION 356.** 20.395 (5) (di) of the statutes is amended to read:

20.395 **(5)** (di) *Chemical testing training and services, state funds.* From the general fund, the amounts in the schedule for the chemical testing training and services provided by the state traffic patrol. All moneys transferred from the appropriation account under s. 20.435 (6) (hx) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance in this appropriation account on June 30 of each year shall be transferred to the appropriation account under s. 20.435 (6) (hx).

**SECTION 357.** 20.395 (5) (dL) of the statutes is created to read:

20.395 **(5)** (dL) *Public safety radio management, state funds.* From the general fund, all moneys received for purposes related to the statewide public safety radio management program under s. 85.12, other than moneys credited to the appropriation account under par. (dk), for that purpose.

**SECTION 358.** 20.395 (5) (dq) of the statutes is amended to read:

20.395 **(5)** (dq) *Vehicle inspection, traffic enforcement and radio management, state funds.* The amounts in the schedule for administering the ambulance inspection program under s. 341.085, the statewide public safety radio management program under s. 85.12 ~~and~~, the vehicle inspection and traffic enforcement programs and transfers under s. 85.32.

**SECTION 359.** 20.410 (1) (ac) of the statutes is repealed.

**SECTION 359g.** 20.410 (1) (gi) of the statutes is amended to read:

20.410 **(1)** (gi) *General operations.* The amounts in the schedule to operate institutions and provide field services and administrative services. All moneys received under ~~s. 303.01 (8) that are attributable to moneys collected from earnings of inmates and residents under s. 303.01 (2) (em) and all moneys received under~~ ss. 302.386 (2m) and (3) (d) and 303.065 (6) shall be credited to this appropriation account.

**SECTION 359r.** 20.410 (1) (hm) of the statutes is repealed.

**SECTION 360.** 20.410 (1) (jp) of the statutes is renumbered 20.410 (1) (kp) and amended to read:

20.410 **(1)** (kp) *Correctional officer training.* The amounts in the schedule to finance correctional officers training under s. 301.28. All moneys ~~received from the penalty assessment surcharge on court fines and forfeitures as allocated~~ transferred

from the appropriation account under s. ~~165.87 (1)~~ 20.505 (6) (j) 6. shall be credited to this appropriation account.

**SECTION 361d.** 20.410 (1) (kh) of the statutes is created to read:

20.410 **(1)** (kh) *Victim services and programs.* The amounts in the schedule for the administration of victim services and programs. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 5m. shall be credited to this appropriation account.

**SECTION 361m.** 20.410 (1) (km) of the statutes is amended to read:

20.410 **(1)** (km) *Prison industries.* The amounts in the schedule for the establishment and operation of prison industries~~, but not including the program under s. 303.01 (2) (em)~~. All moneys received from prison industries sales shall be credited to this appropriation. All moneys credited to this appropriation shall be expended first for the purpose under par. (ko). No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new prison industries, except upon approval of the joint committee on finance after a determination that the moneys are needed and that no other appropriation is available for that purpose.

**SECTION 362m.** 20.410 (1) (kw) of the statutes is repealed.

**SECTION 363n.** 20.410 (3) (ba) of the statutes is created to read:

20.410 **(3)** (ba) *Mendota juvenile treatment center.* The amounts in the schedule for services for juveniles placed at the Mendota Juvenile Treatment Center as provided in s. 46.057 (2).

**SECTION 363np.** 20.410 (3) (bb) of the statutes is created to read:

20.410 **(3)** (bb) *Juvenile boot camp program.* The amounts in the schedule to operate the juvenile boot camp program under s. 938.532.

**SECTION 364d.** 20.410 (3) (cg) of the statutes is amended to read:

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

**SECTION 365.** 20.410 (3) (hm) of the statutes is amended to read:

20.410 **(3)** (hm) *Juvenile correctional services.* Except as provided in pars. (ho) and (hr), the amounts in the schedule for juvenile correctional services specified in s. 301.26 (4) (c) and (d) and to operate the correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus property, including vehicles, from juvenile correctional institutions operated by the department, all moneys received as payments in restitution of property damaged at juvenile correctional institutions operated by the department, all moneys received from miscellaneous services provided at a juvenile correctional institution operated by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in par. (hr), all moneys received in payment for juvenile correctional services specified in s. 301.26 (4) (d) ~~and~~, (dt) and (g) shall be credited to this appropriation account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year institutional costs, other than the cost of operating the correctional institution

authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys in excess of that 2% shall be remitted to the counties during the subsequent calendar year or transferred to the appropriation account under par. (kx) during the subsequent fiscal year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement at juvenile correctional institutions including the Mendota Juvenile Treatment Center. Counties shall use the funds for purposes specified in s. 301.26. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under par. (kx).

**SECTION 367.** 20.410 (3) (kj) of the statutes is amended to read:

20.410 **(3)** (kj) *Youth diversion program.* ~~Biennially, the~~ The amounts in the schedule for youth diversion services under s. 301.265 (1) and (3). All moneys transferred from the appropriation account under s. 20.505 (6) ~~(g)~~ (j) 8. shall be credited to this appropriation account.

**SECTION 367m.** 20.425 (1) (h) of the statutes is amended to read:

20.425 **(1)** (h) *Collective bargaining training.* The amounts in the schedule for the cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3). All moneys received from arbitrators and arbitration panel members, and individuals who are interested in serving in such positions, and from individuals and organizations who participate in other collective bargaining training programs conducted by the commission, ~~for the cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3)~~ shall be credited to this appropriation account.

**SECTION 368g.** 20.425 (1) (ka) of the statutes is repealed.

**SECTION 368m.** 20.432 (1) (kc) of the statutes is repealed.

**SECTION 368r.** 20.433 (1) (h) of the statutes is amended to read:

20.433 **(1)** (h) *Grants to organizations.* All moneys received under s. 69.22 (1) (c)<u>, except the amounts appropriated under s. 20.435 (5) (jk)</u>, less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4), (6) and (7).

**SECTION 368s.** 20.433 (1) (h) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.433 **(1)** (h) *Grants to organizations.* All moneys received under s. 69.22 (1) (c)~~, except the amounts appropriated under s. 20.435 (5) (jk)~~, less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4), (6) and (7).

**SECTION 369d.** 20.433 (1) (q) of the statutes is amended to read:

20.433 **(1)** (q) *Children's trust fund grants.* From the children's trust fund, all moneys received as contributions, grants, gifts and bequests for that trust fund under s. 48.982 (2) (d) or (2e) (a), <u>other than moneys received under s. 341.14 (6r) (b) 6., and all interest earned on moneys received under s. 341.14 (6r) (b) 6.,</u> less the amounts appropriated under par. (r), to carry out the purposes for which made and received under s. 48.982 (2m) (a).

**SECTION 370g.** 20.434 (1) (ka) of the statutes is repealed.

**SECTION 370m.** 20.434 (1) (kp) of the statutes is created to read:

20.434 **(1)** (kp) *Interagency and intra–agency programs.* All moneys received from other state agencies for the administration of the adolescent pregnancy prevention programs and pregnancy services under s. 46.93, for that purpose.

**SECTION 371.** 20.434 (1) (ky) of the statutes is created to read:

20.434 **(1)** (ky) *Interagency and intra–agency aids; pregnancy prevention and services.* All moneys received from other state agencies and all moneys received by the board from the board for providing grants under s. 46.93 (2), for such purposes.

**SECTION 372.** 20.435 (1) (title) of the statutes is amended to read:

20.435 **(1)** (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; STATE OPERATIONS.

**SECTION 373.** 20.435 (1) (a) of the statutes is amended to read:

20.435 **(1)** (a) *General program operations.* The amounts in the schedule for general program operations, including public health services regulation, administration and field services.

**SECTION 374.** 20.435 (1) (bm) of the statutes is renumbered 20.435 (4) (bm) and amended to read:

20.435 **(4)** (bm) *Medical assistance administration.* Biennially, the amounts in the schedule to provide the state share of administrative contract costs for the medical assistance program under ss. 49.45 and 49.665, to reimburse insurers for their costs under s. 49.475 ~~and~~, for costs associated with outreach activities and for services of resource centers under s. 46.283. No state positions may be funded in the department of health and family services from this appropriation, except positions for the performance of duties under a contract in effect before January 1, 1987, related to the administration of the medical assistance program between the subunit of the department primarily responsible for administering the medical assistance program and another subunit of the department. Total administrative funding authorized for the program under s. 49.665 may not exceed 10% of the amounts budgeted under ~~sub. (5)~~ pars. (bc) and (p).

**SECTION 375.** 20.435 (1) (cg) of the statutes is repealed.

**SECTION 376.** 20.435 (1) (gm) of the statutes is amended to read:

20.435 **(1)** (gm) *Licensing, review and certifying activities; fees; supplies and services*. The amounts in the schedule for the purposes specified in ss. 146.50 (8), 250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) and ch. ~~150~~ 69, for the purchase and distribution of medical supplies and to analyze and provide data under s. 250.04. All moneys received under ss. 146.50 (5) (f), (8) (d)~~, 150.13~~, 250.04 (3m), 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) (b) and ch. 69 and as reimbursement for medical supplies shall be credited to this appropriation account. ~~From the fees collected under s. 50.135 (2), $444,700 in fiscal year 1997–98 and $451,600 in fiscal year 1998–99 shall be credited to this appropriation account.~~

**SECTION 377.** 20.435 (1) (gp) of the statutes is renumbered 20.435 (4) (gp).

**SECTION 378.** 20.435 (1) (hg) of the statutes is renumbered 20.435 (4) (hg).

**SECTION 379.** 20.435 (1) (hi) of the statutes is renumbered 20.435 (4) (hi).

**SECTION 380.** 20.435 (1) (in) of the statutes is renumbered 20.435 (4) (in).

**SECTION 381.** 20.435 (1) (j) of the statutes is repealed.

**SECTION 382.** 20.435 (1) (km) of the statutes is repealed.

**SECTION 383.** 20.435 (1) (kx) of the statutes is amended to read:

20.435 **(1)** (kx) *Interagency and intra–agency programs.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under ~~par. (km) or~~ sub. (6) (k) for the administration of programs or projects for which received.

**SECTION 384.** 20.435 (1) (p) of the statutes is renumbered 20.435 (4) (pa) and amended to read:

20.435 **(4)** (pa) *Federal aid; medical assistance contracts administration.* All federal moneys received for the federal share of the cost of contracting for payment and services administration and reporting, ~~and~~ to reimburse insurers for their costs under s. 49.475 and for services of resource centers under s. 46.283.

**SECTION 385e.** 20.435 (1) (tc) of the statutes is created to read:

20.435 **(1)** (tc) *Program operations; statewide tobacco control program.* From the tobacco control fund, subject to s. 255.15 (3) (d), the amounts in the schedule for the general program operations of the statewide tobacco control program under s. 255.15.

**SECTION 386b.** 20.435 (1) (u) of the statutes is renumbered 20.435 (4) (u) and amended to read:

20.435 **(4)** (u) *Health insurance risk–sharing plan; administration.* ~~The~~ Biennially, from the health insurance risk–sharing plan fund, the amounts in the schedule ~~from the health insurance risk–sharing plan fund~~ for the administration of ch. 149, subject to s. 149.143 (2m).

**SECTION 387g.** 20.435 (2) (a) of the statutes is amended to read:

20.435 **(2)** (a) *General program operations.* The amounts in the schedule to operate institutions, to provide administrative services and to evaluate, treat and care for persons under ch. 980, including persons placed on supervised release under s. 980.06 (2), 1997 stats., or s. 980.08.

**SECTION 387m.** 20.435 (2) (bj) of the statutes is amended to read:

20.435 **(2)** (bj) *Conditional and supervised release treatment and services.* Biennially, the amounts in the schedule for payment by the department of costs for treatment and services for persons released under s. 980.06 (2) (c), 1997 stats., or s. 971.17 (3) (d) or (4) (e)~~, 980.06 (2) (c)~~ or 980.08 (5), for which the department has

contracted with county departments under s. 51.42 (3) (aw) 1. d., with other public agencies or with private agencies to provide the treatment and services.

**SECTION 388m.** 20.435 (2) (bm) of the statutes is amended to read:

20.435 **(2)** (bm) *Secure mental health units or facilities.* The amounts in the schedule for the general program operations of secure mental health units or facilities under s. 980.065 for persons committed ~~to institutional care~~ under s. 980.06 ~~(2) (b)~~ and placed in a secure mental health unit or facility.

**SECTION 389.** 20.435 (2) (gk) of the statutes is amended to read:

20.435 **(2)** (gk) *Institutional operations and charges.* The amounts in the schedule for care provided by the centers for the developmentally disabled to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after July 1, 1978, in accordance with s. 51.437 (4rm) (c); for care provided by the mental health institutes, to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for maintenance of state–owned housing at centers for the developmentally disabled and mental health institutes; for repair or replacement of property damaged at the mental health institutes or at centers for the developmentally disabled; and for reimbursing the total cost of using, producing and providing services, products and care. All moneys received as payments from medical assistance on and after August 1, 1978; as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical assistance payments, other payments under s. 46.10 and payments under s. 51.42 (3) (as) 2. received on and after January 1, 1979; as payments under s. ~~51.07 (4)~~ 46.043; as payments for the rental of state–owned housing and other institutional

facilities at centers for the developmentally disabled and mental health institutes; for the sale of electricity, steam or chilled water; as payments in restitution of property damaged at the mental health institutes or at centers for the developmentally disabled; for the sale of surplus property, including vehicles, at the mental health institutes or at centers for the developmentally disabled; and for other services, products and care shall be credited to this appropriation, except that any payment under s. 46.10 received for the care or treatment of patients admitted under s. 51.10, 51.15 or 51.20 for which the state is liable under s. 51.05 (3), of patients admitted under s. 55.06 (9) (d) or (e) for which the state is liable under s. 55.05 (1), of forensic patients committed under ch. 971 or 975, admitted under ch. 975 or transferred under s. 51.35 (3) or of patients transferred from a state prison under s. 51.37 (5), to Mendota mental health institute or Winnebago mental health institute shall be treated as general purpose revenue — earned, as defined under s. 20.001 (4).

**SECTION 390.** 20.435 (3) (bc) of the statutes is created to read:

20.435 **(3)** (bc) *Grants for children's community programs.* The amounts in the schedule for grants for children's community programs under s. 46.481. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All moneys under this appropriation account that are distributed under s. 46.481 but are not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

**SECTION 390d.** 20.435 (3) (bm) of the statutes is created to read:

20.435 **(3)** (bm) *Services for children and families.* A sum sufficient, equal to the amount determined under s. 77.63 (2), for grants to counties under s. 46.513.

**SECTION 390m.** 20.435 (3) (cz) of the statutes is repealed.

**SECTION 391d.** 20.435 (3) (dd) of the statutes is amended to read:

20.435 **(3)** (dd) *State foster care and adoption services.* The amounts in the schedule for foster care, treatment foster care, institutional child care and subsidized adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s. 49.19 (10) (d) ~~and~~, for the cost of the foster care monitoring system and for the cost of providing services to children with special needs who are under the guardianship of the department to prepare those children for adoption and of providing postadoption services to children with special needs who have been adopted.

**SECTION 392.** 20.435 (3) (dg) of the statutes is amended to read:

20.435 **(3)** (dg) *State adoption information exchange and state adoption center.* The amounts in the schedule to operate a state adoption information exchange ~~under s. 48.55~~ and a state adoption center under s. ~~48.551~~ 48.55.

**SECTION 393.** 20.435 (3) (dr) of the statutes is repealed.

**SECTION 394.** 20.435 (3) (eg) of the statutes is amended to read:

20.435 **(3)** (eg) ~~*Programs for adolescents and adolescent parents*~~ *Adolescent services*. The amounts in the schedule ~~for the provision of adolescent self–sufficiency and pregnancy prevention programs under s. 46.995, for~~ to provide adolescent services under s. 46.996 and for adolescent choices project grants under s. 46.997 (2).

**SECTION 395.** 20.435 (3) (eg) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

20.435 **(3)** (eg) *Brighter futures initiative and tribal adolescent services.* The amounts in the schedule for the brighter futures initiative under s. 46.99 and for tribal adolescent services under s. 46.995.

**SECTION 396.** 20.435 (3) (fm) of the statutes is repealed.

**SECTION 397.** 20.435 (3) (i) of the statutes is repealed and recreated to read:

20.435 **(3)** (i) *Gifts and grants.* All moneys not appropriated under par. (gb) that are received from gifts, grants, donations and burial trusts for the execution of the department's functions relating to children and family services consistent with the purpose of the gifts, grants, donations or trusts.

**SECTION 397m.** 20.435 (3) (km) of the statutes is created to read:

20.435 **(3)** (km) *Federal block grant transfer; aids.* The amounts in the schedule for the grants under ss. 46.95 (2) and 49.175 (1) (ze) 4. All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

**SECTION 397r.** 20.435 (3) (km) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

20.435 **(3)** (km) *Federal block grant transfer; aids.* The amounts in the schedule for grants under ss. 46.95 (2), 46.99 (2) (a), 46.995 (2), (3) (b) and (4m) (b) and 49.175 (1) (ze) 4. All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

**SECTION 398.** 20.435 (3) (me) of the statutes is created to read:

20.435 **(3)** (me) *Federal block grant local assistance.* All block grant moneys received from the federal government, as authorized by the governor under s. 16.54, for youth services local assistance, for the purposes for which received.

**SECTION 399d.** 20.435 (3) (pd) of the statutes is amended to read:

20.435 **(3)** (pd) *Federal aid; state foster care and adoption services.* All federal moneys received for meeting the costs of providing foster care, treatment foster care ~~and~~, institutional child care ~~under s. 48.52, and for~~ and subsidized adoptions under ss. 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d) and the cost of providing services to children with special needs who are under the

guardianship of the department to prepare those children for adoption and of providing postadoption services to children with special needs who have been adopted. Disbursements for foster care under s. 46.03 (20) and for the purposes described under s. 48.627 may be made from this appropriation.

**SECTION 400.** 20.435 (4) (title) of the statutes is created to read:

20.435 **(4)** (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH CARE FINANCING.

**SECTION 401.** 20.435 (4) (a) of the statutes is created to read:

20.435 **(4)** (a) *General program operations.* The amounts in the schedule for general program operations, including health care financing regulation, administration and field services.

**SECTION 402.** 20.435 (4) (bs) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is renumbered 20.435 (4) (kb) and amended to read:

20.435 **(4)** (kb) *Relief block grants to tribal governing bodies.* The amounts in the schedule for relief block grants under s. 49.029 to tribal governing bodies. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18. shall be credited to this appropriation account.

**SECTION 403.** 20.435 (4) (e) of the statutes is created to read:

20.435 **(4)** (e) *Disease aids.* Biennially, the amounts in the schedule for assisting victims of diseases, as provided in ss. 49.68, 49.683 and 49.685.

**SECTION 404.** 20.435 (4) (g) of the statutes is created to read:

20.435 **(4)** (g) *Family care benefit; cost sharing.* All moneys received from client cost–sharing requirements under s. 46.286 (2) to be expended for the provision of services under the family care benefit under s. 46.284 (5).

**SECTION 405.** 20.435 (4) (gm) of the statutes is created to read:

20.435 **(4)** (gm) *Health services regulation and vital statistics.* The amounts in the schedule for the purposes specified in chs. 69 and 150. All moneys received under ch. 69 and s. 150.13 shall be credited to this appropriation account. From the fees collected under s. 50.135 (2), $247,000 in fiscal year 1999–2000 and $297,200 in fiscal year 2000–01 shall be credited to this appropriation account.

**SECTION 406.** 20.435 (4) (h) of the statutes is created to read:

20.435 **(4)** (h) *General assistance medical program; intergovernmental transfer.* The amounts in the schedule to provide supplemental payments to eligible health care providers that contract with Milwaukee County to provide health care services funded by a relief block grant under s. 49.025. All moneys received from Milwaukee County for this purpose shall be credited to this appropriation account.

**SECTION 407.** 20.435 (4) (i) of the statutes is created to read:

20.435 **(4)** (i) *Gifts and grants; health care financing.* All moneys received from gifts, grants, bequests and trust funds to provide health care financing consistent with the purpose of the gift, grant, bequest or trust fund.

**SECTION 408.** 20.435 (4) (kx) of the statutes is created to read:

20.435 **(4)** (kx) *Interagency and intra–agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs or projects, for the purposes for which received.

**SECTION 409.** 20.435 (4) (ky) of the statutes is created to read:

20.435 **(4)** (ky) *Interagency and intra–agency aids.* All moneys received from other state agencies, including moneys transferred from s. 20.505 (8) (hm) 7., and all moneys received by the department from the department for aids to individuals and organizations, for the purpose of providing those aids.

**SECTION 410.** 20.435 (4) (kz) of the statutes is created to read:

20.435 **(4)** (kz) *Interagency and intra–agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department for local assistance, for the purpose of providing that assistance.

**SECTION 411.** 20.435 (4) (m) of the statutes is created to read:

20.435 **(4)** (m) *Federal project operations.* All moneys received from the federal government or any of its agencies for the state administration of specific limited term projects, to be expended for the purposes specified.

**SECTION 412.** 20.435 (4) (ma) of the statutes is created to read:

20.435 **(4)** (ma) *Federal project aids.* All moneys received from the federal government or any of its agencies for specific limited term projects of aids to individuals or organizations, to be expended for the purposes specified.

**SECTION 413.** 20.435 (4) (md) of the statutes is created to read:

20.435 **(4)** (md) *Federal block grant aids.* All block grant moneys received from the federal government or any of its agencies for aids to individuals or organizations, other than for specific limited term projects and continuing programs, to be expended for the purposes specified.

**SECTION 414.** 20.435 (4) (n) of the statutes is created to read:

20.435 **(4)** (n) *Federal program operations.* All moneys received from the federal government or any of its agencies for the state administration of continuing programs, to be expended for the purposes specified.

**SECTION 415.** 20.435 (4) (na) of the statutes is created to read:

20.435 **(4)** (na) *Federal program aids.* All moneys received from the federal government or any of its agencies for continuing programs of aids to individuals or organizations, to be expended for the purposes specified.

**SECTION 415g.** 20.435 (4) (v) of the statutes is created to read:

20.435 **(4)** (v) *Health insurance risk–sharing plan; program benefits.* All moneys received by the health insurance risk–sharing plan fund, except for moneys appropriated under par. (u), for the operating costs of the health insurance risk–sharing plan under ch. 149, subject to s. 149.143 (2m).

**SECTION 416.** 20.435 (5) (title) of the statutes is amended to read:

20.435 **(5)** (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; AIDS AND LOCAL ASSISTANCE.

**SECTION 417c.** 20.435 (5) (af) of the statutes is renumbered 20.435 (4) (af) and amended to read:

20.435 **(4)** (af) *Health insurance risk–sharing plan; transfer to fund for costs.* The amounts in the schedule to be paid into the health insurance risk–sharing plan fund for paying a portion of the operating costs of the health insurance risk–sharing plan under ch. 149.

**SECTION 418c.** 20.435 (5) (ah) of the statutes is renumbered 20.435 (4) (ah) and amended to read:

20.435 **(4)** (ah) *Health insurance risk–sharing plan; transfer to fund for premium and deductible reduction subsidy.* Biennially, the amounts in the schedule to be paid into the health insurance risk–sharing plan fund for the purpose of subsidizing premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a).

**SECTION 418g.** 20.435 (5) (am) of the statutes is amended to read:

20.435 **(5)** (am) *Services, reimbursement and payment related to acquired immunodeficiency syndrome.* The amounts in the schedule for the purchase of services under s. 252.12 (2) (a) for individuals with respect to acquired

immunodeficiency syndrome and related infections, to subsidize premium payments under ss. 252.16 and 252.17, for HIV prevention grants under s. 252.12 (2) (c) 2. and 3. and to reimburse or supplement the reimbursement of the cost of AZT, pentamidine and certain other drugs under s. 49.686.

**SECTION 419.** 20.435 (5) (b) of the statutes is renumbered 20.435 (4) (b) and amended to read:

20.435 **(4)** (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45, to provide medical assistance program benefits administered under s. 49.45 that are not also provided under par. (o) ~~and~~, to fund the pilot project under s. 46.27 (9) and (10), to provide the facility payment under 1999 Wisconsin Act .... (this act), section 9123 (8m), to fund services provided by resource centers under s. 46.283 and for services under the family care benefit under s. 46.284 (5). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation to the appropriation account under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

**SECTION 420.** 20.435 (5) (bc) of the statutes is renumbered 20.435 (4) (bc).

**SECTION 421.** 20.435 (5) (bs) of the statutes is renumbered 20.435 (4) (bs).

**SECTION 422.** 20.435 (5) (bt) of the statutes is renumbered 20.435 (4) (bt) and amended to read:

20.435 **(4)** (bt) *Relief block grants to counties* ~~*with a population of 500,000 or more*~~. The amounts in the schedule for relief block grants to counties under ~~s.~~ ss. 49.025 ~~to counties with a population of 500,000 or more~~ and 49.027.

**SECTION 423.** 20.435 (5) (bu) of the statutes is repealed.

**SECTION 425.** 20.435 (5) (cm) of the statutes is amended to read:

20.435 **(5)** (cm) *Immunization.* A sum sufficient not to exceed in fiscal year ~~1997–98~~ 1999–2000 the difference between ~~$8,550,700~~ $9,000,000 and the sum of the moneys received from the federal government under the federal vaccines for children program and under section 317 of the Public Health Service Act in fiscal year ~~1997–98~~ 1999–2000 and not to exceed in fiscal year ~~1998–99~~ 2000–01 the difference between ~~$8,776,400~~ $9,000,000 and the sum of the moneys received from the federal government under the federal vaccines for children program and under section 317 of the Public Health Service Act in fiscal year ~~1998–99~~ 2000–01 for the provision of vaccine to immunize children under s. 252.04 (1).

**SECTION 426.** 20.435 (5) (d) of the statutes is renumbered 20.435 (4) (d).

**SECTION 427.** 20.435 (5) (e) of the statutes is amended to read:

20.435 **(5)** (e) ~~*Disease aids*~~ *Tuberculosis services*. Biennially, the amounts in the schedule for assisting victims of diseases, as provided in ss. ~~49.68, 49.683, 49.685,~~ 58.06, 252.08 (4) and (5) and 252.10 (6) and (7), as ~~allocated~~ distributed by the department.

**SECTION 428.** 20.435 (5) (ed) of the statutes is amended to read:

20.435 **(5)** (ed) *Radon aids.* The amounts in the schedule for the provision of state aid for local radon services under s. 254.34 ~~(4)~~ (1) (h) 5.

**SECTION 430.** 20.435 (5) (ek) of the statutes is renumbered 20.435 (5) (ke) and amended to read:

20.435 **(5)** (ke) *Cooperative American Indian health projects.* The amounts in the schedule for grants for cooperative American Indian health projects under s. 146.19. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18b. shall be credited to this appropriation account.

**SECTION 432g.** 20.435 (5) (fh) of the statutes is created to read:

20.435 **(5)** (fh) *Community health services.* The amounts in the schedule for the minority health program under s. 146.185 and for grants under s. 250.15.

**SECTION 433d.** 20.435 (5) (gh) of the statutes is repealed.

**SECTION 434.** 20.435 (5) (im) of the statutes is renumbered 20.435 (4) (im).

**SECTION 434r.** 20.435 (5) (jk) of the statutes is created to read:

20.435 **(5)** (jk) *Newborn hearing screening programs.* From all moneys received under s. 69.22 (1) (c), the first $1.40 of each fee paid, to be used for newborn hearing screening program grants under s. 253.115 (4) (a).

**SECTION 434s.** 20.435 (5) (jk) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

20.435 **(5)** (jk) *Newborn hearing screening programs.* From all moneys received under s. 69.22 (1) (c), the first $1.40 of each fee paid, to be used for newborn hearing screening program grants under s. 253.115 (4) ~~(a)~~ (b).

**SECTION 434t.** 20.435 (5) (jk) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 435.** 20.435 (5) (jz) of the statutes is renumbered 20.435 (4) (jz).

**SECTION 436.** 20.435 (5) (ky) of the statutes is amended to read:

20.435 **(5)** (ky) *Interagency and intra–agency aids.* All moneys received from other state agencies and all moneys received by the department from the department

not directed to be deposited under sub. ~~(1) (km) or~~ (6) (k) for aids to individuals and organizations.

**SECTION 437.** 20.435 (5) (kz) of the statutes is amended to read:

20.435 **(5)** (kz) *Interagency and intra–agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under ~~par.~~ sub. ~~(1) (km) or~~ (6) (k) for local assistance.

**SECTION 438.** 20.435 (5) (o) of the statutes is renumbered s. 20.435 (4) (o) and amended to read:

20.435 **(4)** (o) *Federal aid; medical assistance.* All federal moneys received for meeting costs of medical assistance administered under ss. 46.284 (5), 49.45 and 49.665, to be used for those purposes.

**SECTION 439.** 20.435 (5) (p) of the statutes is renumbered 20.435 (4) (p).

**SECTION 439m.** 20.435 (5) (tc) of the statutes is created to read:

20.435 **(5)** (tc) *Statewide tobacco control program.* From the tobacco control fund, the amounts in the schedule for the purposes specified under s. 255.15 (3) (a) and (b).

**SECTION 440.** 20.435 (6) (a) of the statutes is amended to read:

20.435 **(6)** (a) *General program operations; projects; council on physical disabilities.* The amounts in the schedule for general program operations, including field services and administrative services, ~~and for the pilot project under 1997 Wisconsin Act 237, section 9122 (4)~~ for the demonstration projects under 1999 Wisconsin Act .... (this act), section 9123 (3) (a) and for operation of the council on physical disabilities under s. 46.29.

**SECTION 441.** 20.435 (6) (d) of the statutes is repealed.

**SECTION 442.** 20.435 (6) (g) of the statutes is amended to read:

20.435 **(6)** (g) *Nursing facility resident protection.* ~~The amounts in the schedule to finance nursing facility resident protection under s. 49.499.~~ All moneys received from the penalty assessment surcharges on forfeitures that are levied by the department under s. 49.498 (16) (c) 1., 2. and 3. and the interest under s. 49.498 (16) (d) ~~shall be credited to this appropriation~~ to finance nursing facility resident protection under s. 49.499.

**SECTION 443.** 20.435 (6) (gb) of the statutes is amended to read:

20.435 **(6)** (gb) *Alcohol and drug abuse initiatives.* All moneys received from the state treasurer under s. 961.41 (5) (c), to be expended on programs providing prevention, intervention and treatment for alcohol and other drug abuse problems. ~~In fiscal year 1997–98, the department shall transfer $250,000 from the appropriation account under this paragraph to the appropriation account under sub. (7) (kw).~~

**SECTION 444.** 20.435 (6) (hx) of the statutes is amended to read:

20.435 **(6)** (hx) *Services related to drivers, receipts.* The amounts in the schedule for services related to drivers. All moneys received by the state treasurer from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 and all moneys transferred from the appropriation account under s. 20.395 (5) (di) shall be credited to this appropriation. ~~The secretary of administration shall annually transfer to the appropriation account under s. 20.395 (5) (di) 31.29% of all moneys credited to this appropriation. The~~ Any unencumbered moneys ~~remaining~~ in this appropriation account may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) and (di) and 20.455 (5) (h) by the secretary of administration after consultation with the secretaries of health and

family services and transportation, the superintendent of public instruction, the attorney general and the president of the university of Wisconsin system.

**SECTION 445.** 20.435 (6) (jm) of the statutes is amended to read:

20.435 **(6)** (jm) *Licensing and support services.* The amounts in the schedule for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a) and (b) and (5) (a), 49.45 (47), 50.02 (2), 50.025, 50.065 (2) (am) and (b) 1., (3) (a) and (b) and (5), 50.13, 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57 and 50.981 and subch. IV of ch. 50 and to conduct health facilities plan and rule development activities, for accrediting nursing homes, convalescent homes and homes for the aged, to conduct capital construction and remodeling plan reviews under ss. 50.02 (2) (b) and 50.36 (2) and for the costs of inspecting, licensing and approving facilities, issuing permits and providing technical assistance that are not specified under any other paragraph in this subsection. All moneys received under ss. 48.685 (8), 50.02 (2), 50.025, 50.065 (8), 50.13, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.93 (1) (c) and 50.981, all moneys received from fees for the costs of inspecting, licensing and approving facilities, issuing permits and providing technical assistance that are not specified under any other paragraph in this subsection, and all moneys received under 50.135 (2), less the amounts credited to the appropriation account under sub. ~~(1)~~ (4) (gm), shall be credited to this appropriation account.

**SECTION 446.** 20.435 (7) (b) of the statutes is amended to read:

20.435 **(7)** (b) *Community aids.* The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for

foster care and treatment foster care under s. 49.19 (10). Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

**SECTION 447.** 20.435 (7) (bd) of the statutes is amended to read:

20.435 **(7)** (bd) *Community options program ~~and long–term support~~; pilot projects; family care benefit*. The amounts in the schedule for assessments, case planning, services ~~and~~, administration and risk reserve escrow accounts under s. 46.27 ~~and~~, for pilot projects under s. 46.271 (1)~~, and the amounts carried forward under 1997 Wisconsin Act 27, section 9123 (2), for the pilot project under s. 46.271 (2m)~~, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5) and for the payment of premiums under s. 49.472 (5). If the department transfers funds to this appropriation from the appropriation account under sub. ~~(5)~~ (4) (b), the amounts in the schedule for the fiscal year for which the transfer is made are increased by the amount of the transfer for

the purposes specified in s. 49.45 (6v). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this paragraph transfer moneys between fiscal years. Except for moneys authorized for transfer under this appropriation~~,~~ or under s. 46.27 (7) (fm) or (g) ~~or under 1997 Wisconsin Act 27, section 9123 (2)~~, all moneys under this appropriation that are allocated under s. 46.27 and are not spent or encumbered by counties or by the department by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance.

**SECTION 447d.** 20.435 (7) (br) of the statutes is created to read:

20.435 **(7)** (br) *Respite care.* The amounts in the schedule for the respite care program under s. 46.986.

**SECTION 448.** 20.435 (7) (cp) of the statutes is repealed.

**SECTION 449.** 20.435 (7) (dh) of the statutes is amended to read:

20.435 **(7)** (dh) *Programs for senior citizens ~~and~~ ; elder abuse services; benefit specialist program*. The amounts in the schedule for the programs for senior citizens, including but not limited to the purpose of distributing funds under s. 46.80 (2m) (b) to supplement any federal foster grandparent project funds received under 42 USC 5011 (a) and the purposes of ss. 46.80 (5) and 46.85~~, and~~; for direct services for elder persons and other individuals under s. 46.90 (5m); and for the benefit specialist program for older persons under s. 46.81. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. All funds allocated under ss. 46.80 (2m) (b) and (5), 46.81 (2) and 46.85 but not encumbered by December 31 of each year lapse to the general fund on the next January 1, unless transferred to the next calendar year by the joint committee on finance, but the department may carry forward funds

allocated under s. 46.90 (5m) that are not encumbered by June 30 of each year for allocation under s. 46.90 (5m) in the following state fiscal year. For the purposes of this paragraph, funds are encumbered by December 31 if allocated for services received or for goods ordered by December 31.

**SECTION 450.** 20.435 (7) (dj) of the statutes is repealed.

**SECTION 451.** 20.435 (7) (dL) of the statutes is renumbered 20.435 (7) (kL) and amended to read:

20.435 **(7)** (kL) *Indian aids.* The amounts in the schedule to facilitate delivery of social services and mental hygiene services to American Indians under s. 46.70. ~~Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between state fiscal years under this paragraph. All funds allocated under s. 46.70 but not spent or encumbered by September 30 of each year lapse to the general fund on the next October 1, unless transferred to the next federal fiscal year by the joint committee on finance. For the purposes of this paragraph, funds are encumbered by September 30 if allocated for services received or for goods ordered by September 30~~ <u>All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18c. shall be credited to this appropriation account</u>.

**SECTION 452.** 20.435 (7) (dm) of the statutes is renumbered 20.435 (7) (km) and amended to read:

20.435 **(7)** (km) *Indian drug abuse prevention and education.* The amounts in the schedule for the American Indian drug abuse prevention and education program under s. 46.71. <u>All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18d. shall be credited to this appropriation account.</u>

**SECTION 453.** 20.435 (7) (im) of the statutes is amended to read:

20.435 **(7)** (im) *Community options program; family care benefit; recovery of costs ~~of care~~.* From the moneys received from the recovery of costs of care under ss. 46.27 (7g) and 867.035 and rules promulgated under s. 46.286 (7), all moneys not appropriated under sub. ~~(1)~~ (4) (in), for payments to county departments and aging units under s. 46.27 (7g) (d), payments to care management organizations for provision of the family care benefit under s. 46.284 (5), payment of claims under s. 867.035 (3) and payments for long–term community support services funded under s. 46.27 (7) as provided in ss. 46.27 (7g) (e) and 867.035 (4m).

**SECTION 454.** 20.435 (7) (kb) of the statutes is amended to read:

20.435 **(7)** (kb) *Severely emotionally disturbed children.* As a continuing appropriation, all moneys transferred from the appropriation under sub. ~~(5)~~ (4) (b) to this appropriation to provide, under s. 46.485, mental health care and treatment and community–based mental health services for severely emotionally disturbed children. Notwithstanding s. 20.002 (1), the department of health and family services may transfer from this appropriation to the appropriation under sub. ~~(5)~~ (4) (b) funds as specified in s. 46.485 (3r).

**SECTION 455.** 20.435 (7) (kg) of the statutes is amended to read:

20.435 **(7)** (kg) *Compulsive gambling awareness campaigns.* The amounts in the schedule for the purpose of awarding grants under s. 46.03 (43). All moneys transferred from ~~ss.~~ s. 20.505 (8) ~~(g) and (h) and 20.566 (8) (q)~~ (hm) 1. shall be credited to this appropriation account.

**SECTION 456.** 20.435 (8) (g) of the statutes is repealed.

**SECTION 456m.** 20.435 (8) (ka) of the statutes is repealed.

**SECTION 457.** 20.435 (8) (mm) of the statutes is created to read:

20.435 **(8)** (mm) *Reimbursements from federal government.* All moneys received from the federal government, other than moneys described under ss. 46.40 (1) (bm), 46.45 (2), 46.46, 49.45 (6u) and 49.49, that are intended to reimburse the state for expenditures in previous fiscal years from general purpose revenue appropriations whose purpose includes a requirement to match or secure federal funds and that exceeded in those fiscal years the estimates reflected in the intentions of the legislature and governor, as expressed by them in the budget determinations, and the joint committee on finance, as expressed by the committee in any determinations, and the estimates approved for expenditure by the secretary of administration under s. 16.50 (2), for the purpose of paying federal disallowances, federal sanctions or penalties and the costs of any corrective action affecting the department of health and family services. Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the amount determined by the department of administration under s. 16.54 (12) (d) shall lapse to the general fund.

**SECTION 458.** 20.445 (1) (em) of the statutes is renumbered 20.445 (7) (em).

**SECTION 459.** 20.445 (1) (ev) of the statutes is renumbered 20.445 (7) (a) and amended to read:

20.445 **(7)** (a) ~~*Division of connecting education and work*~~ *General program operations*. The amounts in the schedule for the general program operations of the ~~division of connecting education and work~~ governor's work–based learning board under s. 106.12.

**SECTION 461.** 20.445 (1) (kb) of the statutes is renumbered 20.445 (7) (kb).

**SECTION 461m.** 20.445 (1) (kd) of the statutes is repealed.

**SECTION 462.** 20.445 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

20.445 **(3)** (a) *General program operations.* The amounts in the schedule for general program operations relating to economic support, including field services ~~and~~, administrative services and services related to identifying maintenance–of–effort funds, for costs associated with receiving and disbursing support and support–related payments, including any contract costs, and for administering the program under s. 49.22 and all other purposes specified in s. 49.22. No moneys may be expended under this paragraph for the program under, or any other purpose specified in, s. 49.22 unless moneys appropriated under par. (ja) are insufficient for the purposes specified under that paragraph.

**SECTION 463.** 20.445 (3) (br) of the statutes is amended to read:

20.445 **(3)** (br) *Public assistance reform studies.* As a continuing appropriation, the amounts in the schedule for the studies of public assistance reform under s. 49.32 (6)~~, for a study of the school attendance requirement under the learnfare pilot program for children who are 6 to 12 years of age and for the evaluation of the parental responsibility pilot program under s. 49.25 (9)~~.

**SECTION 464.** 20.445 (3) (cb) of the statutes is repealed.

**SECTION 465.** 20.445 (3) (cm) of the statutes is amended to read:

20.445 **(3)** (cm) *Wisconsin works child care.* The amounts in the schedule for paying child care subsidies under s. 49.155. ~~Before October 1, 1997, moneys appropriated under this paragraph may be used to fund child care costs of individuals who secure unsubsidized employment and lose eligibility for aid to families with dependent children as provided under s. 49.191 (2), for child care and related transportation costs under s. 49.26 (1) (e), for at–risk and low–income child care under s. 49.132, 1995 stats., and for child care costs under ss. 49.191 (1) and 49.193 (8).~~

**SECTION 466.** 20.445 (3) (dz) of the statutes, as affected by 1997 Wisconsin Act 27, section 627b, is amended to read:

20.445 **(3)** (dz) *Wisconsin works and other public assistance administration and benefits.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for administration and benefit payments under Wisconsin works under ss. 49.141 to 49.161, ~~the job opportunities and basic skills program under s. 49.193,~~ the learnfare program under s. 49.26, the work experience and job search program under s. 49.36~~,~~ and the food stamp program under s. 49.124 ~~and the parental responsibility pilot program under s. 49.25~~; for payment distribution under s. 49.33 (8) for county administration of public assistance benefits ~~and medical assistance eligibility determination;~~ and for payments to American Indian tribes for administration of public assistance programs; to provide state aid for county administered public assistance programs for which reimbursement is provided under s. 49.33 (9); ~~for child care costs under ss. 49.191 (1) and (2), 49.193 (8) and 49.26 (1) (e); for the new hope project under s. 49.37; for aid to 18–year–old students under s. 49.20;~~ and for funeral expenses under s. 49.30~~; and to transfer to the appropriation account under s. 20.835 (2) (k) the amount determined by the department of revenue under s. 49.175 (1) (b) 2~~. Payments may be made from this appropriation to counties for fraud investigation and error reduction under s. 49.197 (1m) and (4). Moneys appropriated under this paragraph may be used to match federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

**SECTION 468.** 20.445 (3) (ja) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

20.445 **(3)** (ja) *Child support state operations — fees.* All moneys received from fees charged under s. 49.22 (8), from fees ordered under s. 767.29 (1) (d)<u>, from fees collected under s. 767.29 (1) (dm) 1m.</u> and from fees charged and incentive payments and collections retained under s. 49.22 (7m), for costs associated with receiving and disbursing support and support–related payments, including any contract costs, and for administering the program under s. 49.22 and all other purposes specified in s. 49.22.

**SECTION 469.** 20.445 (3) (jg) of the statutes is repealed.

**SECTION 470.** 20.445 (3) (jm) of the statutes is repealed.

**SECTION 471.** 20.445 (3) (k) of the statutes, as affected by 1997 Wisconsin Act 191, section 8, is amended to read:

20.445 **(3)** (k) *Child support transfers.* All moneys transferred from the appropriation account under par. (r), to be expended under the Wisconsin works program under subch. III of ch. 49 and to be distributed <u>as child support incentive payments</u> as provided in s. 49.24 and for the support of dependent children in accordance with applicable federal and state statutes, federal regulations and state rules.

**SECTION 472.** 20.445 (3) (L) of the statutes is amended to read:

20.445 **(3)** (L) *Welfare fraud and error reduction; state operations.* From the moneys received as the state's share of the recovery of overpayments and incorrect payments under <u>s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and</u> ss. 49.125 (2), ~~49.191 (3) (c), 49.195~~ and 49.497 (1), the amounts in the schedule for the department's activities to reduce error and fraud in the food stamp, aid to families

with dependent children, Wisconsin works program and medical assistance programs.

**SECTION 473.** 20.445 (3) (Lm) of the statutes is amended to read:

20.445 **(3)** (Lm) *Welfare fraud and error reduction; local assistance.* From the moneys received as the state's share of the recovery of overpayments and incorrect payments under s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and ss. 49.125 (2)~~,~~ ~~49.191 (3) (c), 49.195~~ and 49.497 (1), all moneys not appropriated under par. (L) for county and tribal activities to reduce error and fraud in the food stamp, aid to families with dependent children, Wisconsin works program and medical assistance program.

**SECTION 474.** 20.445 (3) (mc) of the statutes is amended to read:

20.445 **(3)** (mc) *Federal block grant operations.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering the block grant programs for which the block grant moneys are received and transferring moneys to the appropriation accounts under ss. 20.435 (3) (kx), (6) (kx) and (8) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal block grants ~~for the purposes specified~~ shall be credited to this appropriation account.

**SECTION 474ac.** 20.445 (3) (mc) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.445 **(3)** (mc) *Federal block grant operations.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering the block grant programs for which the block grant moneys are received and transferring moneys to the appropriation accounts under ss. 20.435 (3)

(kx), (6) (kx) and (8) (kx) and 20.525 (1) ~~(kb) and~~ (kf). All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal block grants shall be credited to this appropriation account.

**SECTION 475.** 20.445 (3) (md) of the statutes is amended to read:

20.445 **(3)** (md) *Federal block grant aids.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and to be transferred to the appropriation accounts under sub. (7) (kc) and ss. 20.255 (2) (kh) and (kp), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km) and (ky), (5) (ky), (7) (kw) and (ky) and (8) (kx), 20.465 (4) (k) and 20.835 (2) (kf). All block grant moneys received for these purposes from the federal government or any of its agencies ~~to be expended as aids to individuals or organizations and to be transferred to the appropriation accounts under s. 20.435 (3) (kc) and (kd), (7) (kw) and (ky) and (8) (kx)~~ and all moneys recovered under s. 49.143 (3) shall be credited to this appropriation account.

**SECTION 476.** 20.445 (3) (mm) of the statutes is created to read:

20.445 **(3)** (mm) *Reimbursements from federal government.* All moneys received from the federal government that are intended to reimburse the state for expenditures in previous fiscal years from general purpose revenue appropriations whose purpose includes a requirement to match or secure federal funds and that exceeded in those fiscal years the estimates reflected in the intentions of the legislature and governor, as expressed by them in the budget determinations, and the joint committee on finance, as expressed by the committee in any determinations, and the estimates approved for expenditure by the secretary of administration under s. 16.50 (2), for the purpose of paying federal disallowances, federal sanctions or

penalties and the costs of any corrective action affecting the department of workforce development. Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the amount determined by the department of administration under s. 16.54 (12) (d) shall lapse to the general fund.

**SECTION 477.** 20.445 (5) (kg) of the statutes is created to read:

20.445 **(5)** (kg) *Vocational rehabilitation services for tribes.* The amounts in the schedule for vocational rehabilitation services under ch. 47 for Native American individuals and federally recognized American Indian tribes or bands. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18e. shall be credited to this appropriation account.

**SECTION 477m.** 20.445 (6) (ka) of the statutes is repealed.

**SECTION 478.** 20.445 (7) of the statutes is created to read:

20.445 **(7)** GOVERNOR'S WORK–BASED LEARNING BOARD.

(b) *Local youth apprenticeship grants.* The amounts in the schedule for local youth apprenticeship grants under s. 106.13 (3m).

(kc) *Transfer of public assistance funds; work–based learning programs.* All moneys transferred from the appropriation account under sub. (3) (md) for work–based learning programs for youths who are eligible to receive temporary assistance for needy families under 42 USC 601 to 619.

(kx) *Interagency and intra–agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs or projects for which received.

**SECTION 480m.** 20.455 (1) (kt) of the statutes is amended to read:

20.455 **(1)** (kt) *Telecommunications positions.* All moneys received from the public service commission under s. 196.85 (2m) for services provided by the

department of justice relating to telecommunications matters. No moneys may be encumbered from this appropriation after June 30, ~~1999~~ 2001.

**SECTION 481.** 20.455 (2) (d) of the statutes is repealed.

**SECTION 482.** 20.455 (2) (hm) of the statutes is repealed.

**SECTION 483.** 20.455 (2) (hn) of the statutes is renumbered 20.455 (2) (kt) and amended to read:

20.455 **(2)** (kt) *County–tribal programs, local assistance.* The amounts in the schedule for distribution to county–tribal law enforcement programs under s. 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation account under s. 20.505 (8) (hm) 15g. shall be credited to this appropriation account.

**SECTION 484.** 20.455 (2) (ho) of the statutes is renumbered 20.455 (2) (ku) and amended to read:

20.455 **(2)** (ku) *County–tribal programs, state operations.* The amounts in the schedule to finance ~~state operations~~ the activities of the department of justice associated with county–tribal law enforcement programs under s. 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation account under s. 20.505 (8) (hm) 15h. shall be credited to this appropriation account.

**SECTION 485m.** 20.455 (2) (i) of the statutes is amended to read:

20.455 **(2)** (i) *Penalty assessment surcharge, receipts.* The amounts in the schedule for the purposes of s. 165.85 (5) (b) ~~and (5m)~~ and for crime laboratory equipment. All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated to this appropriation account under s. ~~165.87 (1) and all moneys transferred from s. 20.505 (6) (h)~~ 757.05 (2) (a) shall be credited to this appropriation account. Moneys may be transferred from this paragraph to pars.

(j) ~~and~~, (ja) and (jb) by the secretary of administration for expenditures based upon determinations by the department of justice.

**SECTION 486m.** 20.455 (2) (j) of the statutes is amended to read:

20.455 **(2)** (j) *Law enforcement training fund, local assistance.* The amounts in the schedule to finance local law enforcement training as provided in s. 165.85 (5) (b) ~~and (5m)~~. All moneys transferred from par. (i) shall be credited to this appropriation.

**SECTION 488m.** 20.455 (2) (jb) of the statutes is amended to read:

20.455 **(2)** (jb) *Crime laboratory equipment and supplies.* ~~Biennially, the~~ The amounts in the schedule for the maintenance, repair, upgrading and replacement costs of the laboratory equipment, and for supplies used to maintain, repair, upgrade and replace that equipment, in the state and regional crime laboratories. All moneys transferred from par. (i) shall be credited to this appropriation.

**SECTION 489.** 20.455 (2) (ke) of the statutes is created to read:

20.455 **(2)** (ke) *Drug enforcement intelligence operations.* The amounts in the schedule for drug enforcement tactical and strategic intelligence units. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 9. shall be credited to this appropriation account.

**SECTION 490.** 20.455 (2) (km) of the statutes is created to read:

20.455 **(2)** (km) *Lottery background investigations.* The amounts in the schedule for the purpose of providing lottery–related background investigations. All moneys received from the department of revenue or any state agency as payments for services provided and costs incurred by the department of justice for lottery background investigations under s. 565.25 (4) shall be credited to this appropriation account.

**SECTION 490m.** 20.455 (3) (ka) of the statutes is repealed.

**SECTION 492.** 20.455 (5) (k) of the statutes is amended to read:

20.455 **(5)** (k) *Interagency and intra–agency assistance; reimbursement to counties*. The amounts in the schedule to provide services to state agencies relating to victims and witnesses and to provide reimbursement to counties under s. 950.06 (2). All moneys received from the department or any other state agency for services relating to victims and witnesses shall be credited to this appropriation.

**SECTION 493.** 20.455 (5) (kk) of the statutes is amended to read:

20.455 **(5)** (kk) *Reimbursement to counties for providing victim and witness services.* All moneys transferred from the appropriation account under par. (kj) for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in providing services to victims and witnesses.

**SECTION 494.** 20.455 (5) (kp) of the statutes is created to read:

20.455 **(5)** (kp) *Reimbursement to counties for victim–witness services.* The amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in providing services to victims and witnesses of crime. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 11. shall be credited to this appropriation account.

**SECTION 495.** 20.455 (5) (ma) of the statutes is created to read:

20.455 **(5)** (ma) *Federal aid; state operations relating to crime victim services.* All moneys received as federal aid for the administration of crime victim services, as authorized by the governor under s. 16.54, to carry out the purposes for which made and received.

**SECTION 496m.** 20.465 (1) (kn) of the statutes is repealed.

**SECTION 498.** 20.465 (4) (k) of the statutes is created to read:

20.465 **(4)** (k) *Interagency assistance; Badger Challenge program.* All moneys received from other state agencies for operation of the Badger Challenge program under s. 21.25, for that purpose.

**SECTION 498d.** 20.475 (1) (d) of the statutes is amended to read:

20.475 **(1)** (d) *Salaries and fringe benefits.* The amounts in the schedule for salaries and fringe benefits of district attorneys and state employes of the office of the district attorney ~~and~~, for payments under s. 978.045 (2) (b) and, beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, for a payment of $80,000 in each fiscal year toward the department of administration's unfunded prior service liability under the Wisconsin retirement system that results from granting the creditable service under s. 40.02 (17) (gm).

**SECTION 498m.** 20.475 (1) (f) of the statutes is created to read:

20.475 **(1)** (f) *Firearm prosecution costs; firearm law media campaign.* The amounts in the schedule to reimburse Milwaukee County for the cost of clerks under s. 978.13 (1) (d) and the cost of computers under 1999 Wisconsin Act .... (this act), section 9101 (3c) and to reimburse the Milwaukee board of fire and police commissioners for the costs of the media campaign under s. 62.50 (23m).

**SECTION 499.** 20.485 (1) (gm) of the statutes is repealed.

**SECTION 499m.** 20.485 (2) (ka) of the statutes is repealed.

**SECTION 500.** 20.485 (2) (kg) of the statutes is created to read:

20.485 **(2)** (kg) *American Indian services coordinator.* The amounts in the schedule for an American Indian services veterans benefits coordinator position. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13g. shall be credited to this appropriation account.

**SECTION 501.** 20.485 (2) (km) of the statutes is created to read:

20.485 **(2)** (km) *American Indian grants.* The amounts in the schedule for grants to American Indian tribes and bands under s. 45.35 (14) (h). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13t. shall be credited to this appropriation account.

**SECTION 502m.** 20.485 (2) (x) of the statutes is amended to read:

20.485 **(2)** (x) *Federal per diem payments.* The amounts in the schedule for the provision of assistance to veterans under s. 45.357. All moneys received from the federal government as per diem payments for veterans participating in the veterans assistance program under s. 45.357 ~~to be used for the purposes under s. 45.357~~ shall be credited to this appropriation account.

**SECTION 503.** 20.485 (4) (a) of the statutes is repealed.

**SECTION 504.** 20.485 (4) (g) of the statutes is amended to read:

20.485 **(4)** (g) *Cemetery operations.* The amounts in the schedule for the care and operation of the veterans memorial cemeteries under s. 45.358 other than those costs provided under pars. ~~(a),~~ (q) and (r). All moneys received under s. 45.358 (3m) shall be credited to this appropriation account.

**SECTION 505c.** 20.490 (5) (t) of the statutes is repealed.

**SECTION 508.** 20.505 (1) (a) of the statutes is amended to read:

20.505 **(1)** (a) *General program operations.* The amounts in the schedule for administrative supervision, policy and fiscal planning and management and prosecution services and to defray the expenses incurred by the building commission not otherwise appropriated.

**SECTION 509.** 20.505 (1) (ab) of the statutes is repealed.

**SECTION 509g.** 20.505 (1) (aw) of the statutes is created to read:

20.505 **(1)** (aw) *Emergency weather warning system operation.* The amounts in the schedule to make payments under a contract for the operation of the emergency weather warning system under s. 16.25 (2).

**SECTION 509r.** 20.505 (1) (c) of the statutes is created to read:

20.505 **(1)** (c) *Salaries, fringe benefits, supplies and services for certain employes.* The amounts in the schedule for salaries and fringe benefits of former employes of the educational communications board who were transferred to the department of administration under s. 39.87 (4) and for the provision of supplies and services for these employes.

**SECTION 510.** 20.505 (1) (d) of the statutes is repealed.

**SECTION 511.** 20.505 (1) (fm) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 511d.** 20.505 (1) (fn) of the statutes is repealed.

**SECTION 511h.** 20.505 (1) (fo) of the statutes is created to read:

20.505 **(1)** (fo) *Federal resource acquisition support grants.* The amounts in the schedule for the department of administration to provide grants to any organization with which the department contracts under s. 16.98 (4) to operate the federal resource acquisition program.

**SECTION 512.** 20.505 (1) (ij) of the statutes is amended to read:

20.505 **(1)** (ij) *Land information board; aids to counties.* From the moneys received by the land information board under s. 59.72 (5) (a), all moneys not appropriated under ~~par.~~ pars. (ie) and (ik) for the purpose of providing aids to counties for land information projects under s. 16.967 (7).

**SECTION 513.** 20.505 (1) (ik) of the statutes is created to read:

20.505 **(1)** (ik) *Land information board; soil surveys and mapping.* From the moneys received by the land information board under s. 59.72 (5) (a), the amounts in the schedule to perform soil survey and mapping activities under s. 16.967 (11).

**SECTION 514.** 20.505 (1) (ik) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 516.** 20.505 (1) (is) of the statutes is amended to read:

20.505 **(1)** (is) *Information technology processing services to nonstate entities.* All moneys received from local governmental units and entities in the private sector for provision of computer services, telecommunications services and supercomputer services under s. 16.973 (2) (b) and (c) or under s. ~~196.218 (4r) (c) 4.~~ 44.73 (2) (d), to be used for the purpose of providing those services.

**SECTION 516m.** 20.505 (1) (j) of the statutes is amended to read:

20.505 **(1)** (j) *Gifts and donations.* ~~Except as provided in par. (jb), all~~ All moneys received from gifts, grants, bequests and devises, to carry out the purposes for which made and received.

**SECTION 517.** 20.505 (1) (ja) of the statutes is amended to read:

20.505 **(1)** (ja) *Justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). ~~Four–sevenths~~ Four–ninths of the moneys received under s. 814.635 (1) shall be credited to this appropriation account.

**SECTION 517e.** 20.505 (1) (ja) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.505 **(1)** (ja) *Justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s.

16.971 (9). ~~Four–ninths~~ Two–ninths of the moneys received under s. 814.635 (1) shall be credited to this appropriation account.

**SECTION 517m.** 20.505 (1) (jb) of the statutes is repealed.

**SECTION 518.** 20.505 (1) (ka) of the statutes is amended to read:

20.505 **(1)** (ka) *Materials and services to state agencies and certain districts.* The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is) and (kb) to ~~(ks)~~ (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), (is) and (kb) to ~~(ks)~~ (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

**SECTION 519.** 20.505 (1) (ka) of the statutes, as affected by 1997 Wisconsin Act 27, section 669am, is amended to read:

20.505 **(1)** (ka) *Materials and services to state agencies and certain districts.* The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is) and (kb) to ~~(kr)~~ (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), (is) and

(kb) to ~~(kr)~~ (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

**SECTION 523m.** 20.505 (1) (kh) of the statutes is created to read:

20.505 **(1)** (kh) *Comprehensive planning grants; state agency support.* The amounts in the schedule to provide comprehensive planning grants to local governmental units under s. 16.965 (2) and to transfer to the appropriation accounts under par. (ki) and s. 20.285 (1) (ks) the amounts in the schedule under those paragraphs. All moneys received from assessments paid by supporting agencies under s. 16.965 (4) shall be credited to this appropriation account.

**SECTION 523n.** 20.505 (1) (kh) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 523no.** 20.505 (1) (ki) of the statutes is created to read:

20.505 **(1)** (ki) *Comprehensive planning; administrative support.* The amounts in the schedule for administrative support of comprehensive planning assistance under s. 16.965. All moneys transferred from the appropriation account under par. (kh) shall be credited to this appropriation account.

**SECTION 523p.** 20.505 (1) (ki) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 525.** 20.505 (1) (kL) of the statutes is amended to read:

20.505 **(1)** (kL) *Information technology processing services to agencies.* All moneys received from state agencies for the provision of information technology processing or telecommunications services under ss. 16.973 and 16.974 or under s. 44.73 (2) (d), to be used for the purpose of providing those services.

**SECTION 525g.** 20.505 (1) (kn) of the statutes is repealed.

**SECTION 525r.** 20.505 (1) (ko) of the statutes is repealed.

**SECTION 525x.** 20.505 (1) (kp) of the statutes is amended to read:

20.505 **(1)** (kp) *Interagency assistance; justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). All moneys transferred from the appropriation account under sub. (6) (kt) and (pc) shall be credited to this appropriation account.

**SECTION 526.** 20.505 (1) (kq) of the statutes is created to read:

20.505 **(1)** (kq) *Justice information systems development, operation and maintenance.* The amounts in the schedule for the purpose of developing, operating and maintaining automated justice information systems under s. 16.971 (9). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 12. shall be credited to this appropriation account.

**SECTION 527.** 20.505 (1) (kt) of the statutes is created to read:

20.505 **(1)** (kt) *Land information board; soil surveys and mapping; state agency support.* All moneys received by the land information board from assessments levied against state agencies under s. 16.967 (11) to conduct soil surveys and soil mapping activities.

**SECTION 527e.** 20.505 (1) (kt) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 527g.** 20.505 (1) (ku) of the statutes is created to read:

20.505 **(1)** (ku) *Management assistance grants to counties.* The amounts in the schedule for the purpose of providing management assistance grants to counties under s. 16.18. All moneys transferred from the appropriation account under sub. (8) (hm) 18h. shall be credited to this appropriation account.

**SECTION 527m.** 20.505 (1) (kv) of the statutes is created to read:

20.505 **(1)** (kv) *Public broadcasting corporation grant.* All moneys received from the educational communications board to be paid as a grant to the broadcasting corporation, as defined in s. 39.81 (2), if the secretary of administration determines under s. 39.88 (1) that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the corporation.

**SECTION 528.** 20.505 (1) (qm) of the statutes is repealed.

**SECTION 528m.** 20.505 (1) (r) of the statutes is amended to read:

20.505 **(1)** (r) ~~*Information technology investment*~~ *VendorNet fund administration.* From the ~~information technology investment~~ VendorNet fund, the amounts in the schedule for administration of the fund ~~under s. 16.971~~.

**SECTION 528t.** 20.505 (1) (v) of the statutes is amended to read:

20.505 **(1)** (v) *General program operations — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for general program operations under s. 281.58, 281.59, 281.595, 281.60 or 281.61.

**SECTION 528v.** 20.505 (1) (x) of the statutes is amended to read:

20.505 **(1)** (x) *General program operations — clean water fund program; federal funds.* As a continuing appropriation, from the clean water fund program federal revolving loan fund account in the environmental improvement fund, the amounts in the schedule for general program operations of the clean water fund program and the urban storm water loan program under ~~s.~~ ss. 281.58 ~~or,~~ 281.59 and 281.595.

**SECTION 529.** 20.505 (1) (z) of the statutes is created to read:

20.505 **(1)** (z) *Transportation planning grants to local governmental units.* From the transportation fund, the amounts in the schedule to provide transportation

planning grants to local governmental units under s. 16.9651. All moneys received from the federal government and transferred from the appropriation account under s. 20.395 (3) (ix) shall be credited to this appropriation account.

**SECTION 530.** 20.505 (3) (e) of the statutes is repealed.

**SECTION 531.** 20.505 (3) (g) of the statutes is amended to read:

20.505 **(3)** (g) *Gifts and grants.* All moneys received from gifts, grants or bequests by the women's council or by any committee created by law or executive order~~, by the women's council or by the office of mediation if the office is created by executive order under s. 14.019~~, to be used for the purposes for which made and received.

**SECTION 531m.** 20.505 (3) (j) of the statutes is created to read:

20.505 **(3)** (j) *Contributions to Boys and Girls Clubs of Wisconsin.* All moneys received under s. 341.14 (6r) (b) 7. b. for payments under s. 16.255 to the Boys and Girls Clubs of Wisconsin.

**SECTION 532.** 20.505 (4) (fm) of the statutes is renumbered 20.505 (1) (fm).

**SECTION 533.** 20.505 (4) (j) of the statutes is renumbered 20.435 (3) (gb) and amended to read:

20.435 **(3)** (gb) *National and community service board; gifts and grants.* All moneys received from gifts, grants and bequests for the activities of the national and community service board under s. ~~16.22~~ 46.78, to carry out the purpose for which made and received.

**SECTION 533m.** 20.505 (4) (kb) of the statutes is repealed.

**SECTION 534.** 20.505 (4) (o) of the statutes is renumbered 20.435 (3) (om) and amended to read:

20.435 **(3)** (om) *National and community service board; federal aid for administration.* From the moneys received from the corporation for national and community service under 42 USC 12542 (a) and 12571 (a), as a continuing appropriation, the amounts in the schedule for the administration of the national and community service program under s. ~~16.22~~ 46.78.

**SECTION 535.** 20.505 (4) (p) of the statutes is renumbered 20.435 (3) (p) and amended to read:

20.435 **(3)** (p) *National and community service board; federal aid for grants.* From the moneys received from the corporation for national and community service under ~~the national and community service trust act of 1993, P.L. 103–82~~ 42 USC 12542 (a) and 12571 (a), all moneys not appropriated under par. ~~(o)~~ (om) for national service program grants under s. ~~16.22~~ 46.78 (2) (h).

**SECTION 536d.** 20.505 (5) (d) of the statutes is created to read:

20.505 **(5)** (d) *Principal repayment and interest for educational communications board and digital television conversion.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs that are incurred in financing the acquisition, construction, development, enlargement or improvement of facilities approved by the building commission for operation by the educational communications board and in financing any grants under s. 13.48 (31) that are made to the broadcasting corporation, as defined in s. 39.81 (2). No moneys may be encumbered under this paragraph unless the secretary of administration first determines under s. 39.88 (1) that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2).

**SECTION 539.** 20.505 (6) (g) of the statutes is renumbered 20.505 (6) (kp) and amended to read:

20.505 **(6)** (kp) *Anti–drug enforcement program, penalty assessment — local.* ~~All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1)~~ The amounts in the schedule to match federal funds made available under subtitle K of title I of P.L. 99–570~~, except as provided in par. (h) and s. 20.410 (3) (kj). The executive staff director of the office of justice assistance may transfer moneys not needed as matching funds under this paragraph to par. (h). The secretary of administration shall transfer $645,000 from this paragraph to s. 20.410 (3) (kj) in each fiscal year. The secretary of administration shall transfer $200,000 in fiscal year 1997–98 and $200,000 in fiscal year 1998–99 from this paragraph to the appropriation account under s. 20.455 (2) (k) for a drug enforcement tactical intelligence unit and shall transfer $948,800 in fiscal year 1998–99 from this paragraph to the appropriation account under s. 20.455 (2) (k) for a drug enforcement strategic intelligence unit~~. All moneys transferred from the appropriation account under par. (j) 3. shall be credited to this appropriation account.

**SECTION 540.** 20.505 (6) (h) of the statutes is renumbered 20.505 (6) (kt) and amended to read:

20.505 **(6)** (kt) *Anti–drug enforcement program, penalty assessment — state.* ~~All moneys transferred from par. (g)~~ The amounts in the schedule to match federal funds made available under subtitle K of title I of P.L. 99–570 ~~regarding allocations~~ and allocated to state agencies ~~for planning, programs and administration regarding anti–drug abuse law enforcement assistance. The secretary of administration shall transfer $500,000 in fiscal year 1991–92 from this paragraph to s. 20.455 (2) (i)~~ to carry out the purposes for which received. All moneys transferred from the

appropriation account under par. (j) 14. shall be credited to this appropriation account.

**SECTION 541.** 20.505 (6) (i) of the statutes is created to read:

20.505 **(6)** (i) *Gifts and grants.* All moneys received from gifts and grants, other than moneys received for and deposited in the appropriation accounts under pars. (k) to (pc), to carry out the purposes for which made and received.

**SECTION 542.** 20.505 (6) (j) of the statutes is created to read:

20.505 **(6)** (j) *Penalty assessment surcharge receipts.* All moneys received from the penalty assessment surcharge under s. 757.05 (2) (b) on court fines and forfeitures and all moneys transferred under 1999 Wisconsin Act .... (this act), sections 9201 (2m), (2n) and (2p), 9211 (2g), 9230 (1), (2m) and (3m), 9238 (1h) and 9239 (1h) and (2h), for the purpose of transferring the following amounts to the following appropriation accounts:

3. The amount transferred to par. (kp) shall be the amount in the schedule under par. (kp).

4. The amount transferred to s. 20.255 (1) (kd) shall be the amount in the schedule under s. 20.255 (1) (kd).

5. The amount transferred to s. 20.255 (2) (kd) shall be the amount in the schedule under s. 20.255 (2) (kd).

5m. The amount transferred to s. 20.410 (1) (kh) shall be the amount in the schedule under s. 20.410 (1) (kh).

6. The amount transferred to s. 20.410 (1) (kp) shall be the amount in the schedule under s. 20.410 (1) (kp).

8. The amount transferred to s. 20.410 (3) (kj) shall be the amount in the schedule under s. 20.410 (3) (kj).

9. The amount transferred to s. 20.455 (2) (ke) shall be of the amount in the schedule under s. 20.455 (2) (ke).

11. The amount transferred to s. 20.455 (5) (kp) shall be the amount in the schedule under s. 20.455 (5) (kp).

12. The amount transferred to sub. (1) (kq) shall be the amount in the schedule under sub. (1) (kq).

13. The amount transferred to par. (k) shall be the amount in the schedule under par. (k).

14. The amount transferred to par. (kt) shall be the amount in the schedule under par. (kt).

15. The amount transferred to s. 20.550 (1) (kj) shall be the amount in the schedule under s. 20.550 (1) (kj).

16. The amount transferred to s. 20.680 (2) (kp) shall be the amount in the schedule under s. 20.680 (2) (kp).

**SECTION 542f.** 20.505 (6) (j) 16. of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 543.** 20.505 (6) (k) of the statutes is amended to read:

20.505 **(6)** (k) *Anti–drug enforcement program — administration.* ~~All moneys received from any state agency for planning, programs and administration regarding anti–drug abuse~~ The amounts in the schedule for the purpose of administering federal grants for law enforcement assistance. All moneys transferred from the appropriation account under par. (j) 13. shall be credited to this appropriation account.

**SECTION 543x.** 20.505 (6) (kq) of the statutes is created to read:

20.505 **(6)** (kq) *County law enforcement services.* The amounts in the schedule to provide grants to counties under s. 16.964 (7). All moneys transferred from the appropriation account under sub. (8) (hm) 15d. shall be credited to this appropriation account.

**SECTION 544.** 20.505 (6) (ks) of the statutes is created to read:

20.505 **(6)** (ks) *Tribal law enforcement assistance.* The amounts in the schedule to provide grants for tribal law enforcement under s. 16.964 (6) and grants to Indian tribes under s. 16.964 (8). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15. shall be credited to this appropriation account.

**SECTION 544m.** 20.505 (7) (jf) of the statutes is repealed.

**SECTION 545.** 20.505 (8) (g) (intro.) of the statutes is amended to read:

20.505 **(8)** (g) *General program operations; racing.* (intro.) The amounts in the schedule for general program operations under ch. 562. All moneys received by the department of administration under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3) (d) and (4), 562.09 (2) (e) and 562.124 (2), less the amounts appropriated under s. 20.455 (2) (g), shall be credited to this appropriation account. ~~Annually, of the moneys received under this appropriation account, an amount equal to 14% of the amount in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account under s. 20.435 (7) (kg).~~ The unencumbered balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal year's expenditures under this appropriation, but not more than the total amount received during that fiscal year under s. 562.065 (3) (d) and (4), shall be transferred as follows:

**SECTION 546.** 20.505 (8) (h) of the statutes is amended to read:

20.505 **(8)** (h) *General program operations; Indian gaming.* ~~The~~ From the moneys received under s. 569.06, the amounts in the schedule for general program operations under ch. 569. ~~All Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated under s. 20.455 (2) (gc), shall be credited to this appropriation account. Annually, of the moneys received under this appropriation account, an amount equal to 50% of the amount in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account under s. 20.435 (7) (kg).~~

**SECTION 547.** 20.505 (8) (hm) (intro.) of the statutes is created to read:

20.505 **(8)** (hm) *Indian gaming receipts.* (intro.) All moneys received as Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of annually transferring the following amounts:

**SECTION 548.** 20.505 (8) (hm) 1. of the statutes is created to read:

20.505 **(8)** (hm) 1. The amount transferred to s. 20.435 (7) (kg) shall be the amount in the schedule under s. 20.435 (7) (kg).

**SECTION 549.** 20.505 (8) (hm) 1c. of the statutes is created to read:

20.505 **(8)** (hm) 1c. The amount transferred to s. 20.285 (1) (km) shall be the amount in the schedule under s. 20.285 (1) (km).

**SECTION 550.** 20.505 (8) (hm) 1f. of the statutes is created to read:

20.505 **(8)** (hm) 1f. The amount transferred to the conservation fund shall be $2,500,000.

**SECTION 551.** 20.505 (8) (hm) 4b. of the statutes is created to read:

20.505 **(8)** (hm) 4b. The amount transferred to s. 20.215 (1) (km) shall be the amount in the schedule under s. 20.215 (1) (km).

**SECTION 552.** 20.505 (8) (hm) 4h. of the statutes is created to read:

20.505 **(8)** (hm) 4h. The amount transferred to s. 20.245 (2) (km) shall be the amount in the schedule under s. 20.245 (2) (km).

**SECTION 553.** 20.505 (8) (hm) 4i. of the statutes is created to read:

20.505 **(8)** (hm) 4i. The amount transferred to s. 20.235 (1) (k) shall be the amount in the schedule under s. 20.235 (1) (k).

**SECTION 554.** 20.505 (8) (hm) 6. of the statutes is created to read:

20.505 **(8)** (hm) 6. The amount transferred to s. 20.380 (1) (kg) and (km) combined shall be $4,000,000.

**SECTION 555.** 20.505 (8) (hm) 6f. of the statutes is created to read:

20.505 **(8)** (hm) 6f. The amount transferred to s. 20.143 (1) (kf) shall be the amount in the schedule under s. 20.143 (1) (kf).

**SECTION 556.** 20.505 (8) (hm) 6g. of the statutes is created to read:

20.505 **(8)** (hm) 6g. The amount transferred to s. 20.143 (1) (kg) shall be the amount in the schedule under s. 20.143 (1) (kg).

**SECTION 557.** 20.505 (8) (hm) 6h. of the statutes is created to read:

20.505 **(8)** (hm) 6h. The amount transferred to s. 20.143 (1) (kh) shall be the amount in the schedule under s. 20.143 (1) (kh).

**SECTION 558.** 20.505 (8) (hm) 6j. of the statutes is created to read:

20.505 **(8)** (hm) 6j. The amount transferred to s. 20.143 (1) (kj) shall be the amount in the schedule under s. 20.143 (1) (kj).

**SECTION 559.** 20.505 (8) (hm) 6m. of the statutes is created to read:

20.505 **(8)** (hm) 6m. The amount transferred to s. 20.143 (1) (km) shall be the amount in the schedule under s. 20.143 (1) (km).

**SECTION 562.** 20.505 (8) (hm) 6r. of the statutes is created to read:

20.505 **(8)** (hm) 6r. The amount transferred to s. 20.143 (1) (kr) shall be $388,700.

**SECTION 563.** 20.505 (8) (hm) 7. of the statutes is created to read:

20.505 **(8)** (hm) 7. The amount transferred to the appropriation account under s. 20.435 (4) (ky) shall be $2,055,000 in fiscal year 1999–2000 and $2,115,000 in fiscal year 2000–01.

**SECTION 564.** 20.505 (8) (hm) 8d. of the statutes is created to read:

20.505 **(8)** (hm) 8d. The amount transferred to s. 20.370 (4) (kk) shall be the amount in the schedule under s. 20.370 (4) (kk).

**SECTION 565.** 20.505 (8) (hm) 8g. of the statutes is created to read:

20.505 **(8)** (hm) 8g. The amount transferred to s. 20.370 (1) (hk) shall be the amount in the schedule under s. 20.370 (1) (hk).

**SECTION 565m.** 20.505 (8) (hm) 8i. of the statutes is created to read:

20.505 **(8)** (hm) 8i. The amount transferred to s. 20.370 (1) (Lk) shall be the amount in the schedule under s. 20.370 (1) (Lk).

**SECTION 566.** 20.505 (8) (hm) 8k. of the statutes is created to read:

20.505 **(8)** (hm) 8k. The amount transferred to s. 20.370 (3) (ak) shall be the amount in the schedule under s. 20.370 (3) (ak).

**SECTION 568.** 20.505 (8) (hm) 8r. of the statutes is created to read:

20.505 **(8)** (hm) 8r. The amount transferred to s. 20.370 (9) (hk) shall be the amount in the schedule under s. 20.370 (9) (hk).

**SECTION 569.** 20.505 (8) (hm) 10. of the statutes is created to read:

20.505 **(8)** (hm) 10. The amount transferred to s. 20.235 (1) (km) shall be the amount in the schedule under s. 20.235 (1) (km).

**SECTION 570.** 20.505 (8) (hm) 11. of the statutes is created to read:

20.505 **(8)** (hm) 11. The amount transferred to s. 20.255 (2) (km) shall be the amount in the schedule under s. 20.255 (2) (km).

**SECTION 571.** 20.505 (8) (hm) 11a. of the statutes is created to read:

20.505 **(8)** (hm) 11a. The amount transferred to s. 20.285 (1) (kn) shall be the amount in the schedule under s. 20.285 (1) (kn).

**SECTION 572.** 20.505 (8) (hm) 13g. of the statutes is created to read:

20.505 **(8)** (hm) 13g. The amount transferred to s. 20.485 (2) (kg) shall be the amount in the schedule under s. 20.485 (2) (kg).

**SECTION 574.** 20.505 (8) (hm) 13t. of the statutes is created to read:

20.505 **(8)** (hm) 13t. The amount transferred to s. 20.485 (2) (km) shall be the amount in the schedule under s. 20.485 (2) (km).

**SECTION 575.** 20.505 (8) (hm) 15. of the statutes is created to read:

20.505 **(8)** (hm) 15. The amount transferred to sub. (6) (ks) shall be the amount in the schedule under sub. (6) (ks).

**SECTION 575L.** 20.505 (8) (hm) 15d. of the statutes is created to read:

20.505 **(8)** (hm) 15d. The amount transferred to sub. (6) (kq) shall be the amount in the schedule under sub. (6) (kq).

**SECTION 576.** 20.505 (8) (hm) 15g. of the statutes is created to read:

20.505 **(8)** (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the amount in the schedule under s. 20.455 (2) (kt).

**SECTION 577.** 20.505 (8) (hm) 15h. of the statutes is created to read:

20.505 **(8)** (hm) 15h. The amount transferred to s. 20.455 (2) (ku) shall be the amount in the schedule under s. 20.455 (2) (ku).

**SECTION 579.** 20.505 (8) (hm) 17e. of the statutes is created to read:

20.505 **(8)** (hm) 17e. The amount transferred to s. 20.370 (6) (dk) shall be the amount in the schedule under s. 20.370 (6) (dk).

**SECTION 580.** 20.505 (8) (hm) 17g. of the statutes is created to read:

20.505 **(8)** (hm) 17g. The amount transferred to s. 20.370 (6) (ck) shall be the amount in the schedule under s. 20.370 (6) (ck).

**SECTION 581.** 20.505 (8) (hm) 17g. of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 582.** 20.505 (8) (hm) 18. of the statutes is created to read:

20.505 **(8)** (hm) 18. The amount transferred to s. 20.435 (4) (kb) shall be the amount in the schedule under s. 20.435 (4) (kb).

**SECTION 583.** 20.505 (8) (hm) 18b. of the statutes is created to read:

20.505 **(8)** (hm) 18b. The amount transferred to s. 20.435 (5) (ke) shall be the amount in the schedule under s. 20.435 (5) (ke).

**SECTION 584.** 20.505 (8) (hm) 18c. of the statutes is created to read:

20.505 **(8)** (hm) 18c. The amount transferred to s. 20.435 (7) (kL) shall be the amount in the schedule under s. 20.435 (7) (kL).

**SECTION 585.** 20.505 (8) (hm) 18d. of the statutes is created to read:

20.505 **(8)** (hm) 18d. The amount transferred to s. 20.435 (7) (km) shall be the amount in the schedule under s. 20.435 (7) (km).

**SECTION 586.** 20.505 (8) (hm) 18e. of the statutes is created to read:

20.505 **(8)** (hm) 18e. The amount transferred to s. 20.445 (5) (kg) shall be the amount in the schedule under s. 20.445 (5) (kg).

**SECTION 586f.** 20.505 (8) (hm) 18h. of the statutes is created to read:

20.505 **(8)** (hm) 18h. The amount transferred to sub. (1) (ku) shall be the amount in the schedule under sub. (1) (ku).

**SECTION 587.** 20.505 (9) of the statutes is renumbered 20.585 (2) and amended to read:

20.585 **(2)** COLLEGE TUITION PREPAYMENT PROGRAM. (a) *Administrative expenses; ~~initial funds~~ general fund*. ~~As a continuing appropriation, the~~ The amounts in the schedule for the administrative expenses of the college tuition prepayment program under s. ~~16.24~~ 14.63, including the expense of promoting the program.

(q) *Payment of tuition.* From the tuition trust fund, a sum sufficient for the payment of tuition under s. ~~16.24~~ 14.63 (5).

(r) *Payment of refunds.* From the tuition trust fund, a sum sufficient for the payment of refunds under s. ~~16.24~~ 14.63 (7).

(s) *Administrative expenses; tuition trust fund*. From the tuition trust fund, the amounts in the schedule for the administrative expenses of the college tuition prepayment program under s. ~~16.24~~ 14.63, including the expense of promoting the program.

**SECTION 587g.** 20.506 of the statutes is created to read:

**20.506 Public broadcasting transitional board.** There is appropriated to the public broadcasting transitional board for the following programs:

**(1)** TRANSITIONAL SERVICES. (a) *General program operations.* As a continuing appropriation, the amounts in the schedule for general program operations related to carrying out the duties under s. 39.82. No moneys may be encumbered from this appropriation after the last day of the 35th month beginning after publication .... [revisor inserts date].

**SECTION 588.** 20.507 (1) (h) of the statutes is amended to read:

20.507 **(1)** (h) *Trust lands and investments — general program operations.* The amounts in the schedule for the general program operations of the board as provided

under ss. 24.04, 24.09 (1) (bm), 24.53 and 24.62 (1). ~~Ninety percent of all~~ All amounts deducted from the gross receipts of the appropriate funds as provided under ss. 24.04, 24.09 (1) (bm), 24.53 and 24.62 (1) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end of each fiscal year shall be transferred to the trust funds, as defined under s. 24.60 (5). The amount transferred to each trust fund, as defined under s. 24.60 (5), shall bear the same proportion to the total amount transferred to the trust funds that the gross receipts of that trust fund bears to the total gross receipts credited to this appropriation account during that fiscal year.

**SECTION 589.** 20.510 (1) (c) of the statutes is created to read:

20.510 (1) (c) *Legislative and special election account supplement.* The amounts in the schedule to be transferred to the legislative and special election campaign account of the Wisconsin election campaign fund annually on September 1.

**SECTION 589m.** 20.510 (1) (ka) of the statutes is repealed.

**SECTION 589t.** 20.512 (1) (jm) of the statutes is repealed and recreated to read:

20.512 **(1)** (jm) *Employment of aid recipients.* The amounts in the schedule for providing services under s. 230.147. All moneys received for providing services under s. 230.147 shall be credited to this appropriation account.

**SECTION 590.** 20.512 (1) (k) of the statutes is created to read:

20.512 **(1)** (k) *Funds received from other state agencies.* All moneys received from other state agencies for the purpose of providing employment services and materials to state agencies.

**SECTION 590m.** 20.512 (1) (kb) of the statutes is repealed.

**SECTION 591g.** 20.515 (1) (ka) of the statutes is repealed.

**SECTION 591r.** 20.521 (1) (ka) of the statutes is repealed.

**SECTION 592.** 20.525 (1) (i) of the statutes is amended to read:

20.525 **(1)** (i) *Gifts and grants.* All moneys received from gifts, grants~~,~~ and bequests ~~and devises for the advocacy activities under s. 14.19~~, to carry out the purposes for which made and received.

**SECTION 592m.** 20.525 (1) (ka) of the statutes is repealed.

**SECTION 593.** 20.525 (1) (kb) of the statutes is created to read:

20.525 **(1)** (kb) *Assistance from state agencies.* All moneys received from state agencies pursuant to arrangements under s. 14.18 to assist the governor in carrying out his or her responsibilities.

**SECTION 593ac.** 20.525 (1) (kb) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 593d.** 20.525 (1) (kf) of the statutes is created to read:

20.525 **(1)** (kf) *Literacy improvement aids, program revenues.* The amounts in the schedule for the governor to provide grants for literacy improvement under s. 14.20. All moneys transferred from the appropriation account under s. 20.445 (3) (mc) for this purpose shall be credited to this appropriation account.

**SECTION 593f.** 20.536 (1) (ka) of the statutes is amended to read:

20.536 **(1)** (ka) *General program operations; environmental improvement fund.* All moneys received for providing services to the department of administration or the department of natural resources in administering ss. 25.43, 281.58, 281.59, 281.595, 281.60, 281.61 and 281.62, for general program operations.

**SECTION 593g.** 20.540 (1) (ka) of the statutes is repealed.

**SECTION 593r.** 20.547 (1) (ka) of the statutes is repealed.

**SECTION 594.** 20.550 (1) (j) of the statutes is renumbered 20.550 (1) (kj) and amended to read:

20.550 **(1)** (kj) *Conferences and training.* The amounts in the schedule to sponsor conferences and training under ch. 977. All moneys ~~received~~ transferred from the ~~penalty assessment surcharge on court fines and forfeitures as allocated~~ appropriation account under s. ~~165.87 (1) (br)~~ 20.505 (6) (j) 15. shall be credited to this appropriation account.

**SECTION 594d.** 20.566 (1) (gc) of the statutes is repealed.

**SECTION 594f.** 20.566 (1) (gg) of the statutes is amended to read:

20.566 **(1)** (gg) *Administration of local taxes.* The amounts in the schedule for administering the taxes under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77. ~~Three percent~~ An amount equal to 1.75% of all moneys received from the taxes imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77 shall be credited to this appropriation.

**SECTION 594k.** 20.566 (1) (hp) of the statutes is amended to read:

20.566 **(1)** (hp) *Administration of endangered resources voluntary payments.* The amounts in the schedule for the payment of all administrative costs, including data processing costs, incurred in administering ~~s.~~ ss. 71.10 (5) and 71.30 (10). All moneys certified under ~~s.~~ ss. 71.10 (5) (h) 1. and 71.30 (10) (h) 1. shall be credited to this appropriation.

**SECTION 594m.** 20.566 (1) (hq) of the statutes is repealed.

**SECTION 595.** 20.566 (1) (q) of the statutes is repealed.

**SECTION 596.** 20.566 (3) (a) of the statutes is amended to read:

20.566 **(3)** (a) *General program operations.* The amounts in the schedule for the office of the secretary, the legal staff, stenographic reporter services, ~~the~~ research and analysis ~~division and the~~, administrative services ~~division~~ and ~~for~~ space rental.

**SECTION 596m.** 20.566 (3) (ka) of the statutes is repealed.

**SECTION 597.** 20.566 (8) (q) of the statutes is amended to read:

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

**SECTION 597m.** 20.585 (1) (ka) of the statutes is repealed.

**SECTION 598x.** 20.625 (1) (k) of the statutes is repealed.

**SECTION 599.** 20.625 (1) (km) of the statutes is repealed.

**SECTION 600.** 20.660 (1) (k) of the statutes is repealed.

**SECTION 601.** 20.665 (1) (d) of the statutes is created to read:

20.665 **(1)** (d) *General program operations; judicial council.* The amounts in the schedule for the general program operations of the judicial council.

**SECTION 601m.** 20.665 (1) (ka) of the statutes is repealed.

**SECTION 602.** 20.680 (1) (km) of the statutes is repealed.

**SECTION 602m.** 20.680 (2) (a) of the statutes is amended to read:

20.680 **(2)** (a) *General program operations.* ~~The~~ Biennially, the amounts in the schedule to carry into effect the functions of the director of state courts.

**SECTION 603.** 20.680 (2) (h) of the statutes is amended to read:

20.680 **(2)** (h) *Materials and services.* ~~The amounts in the schedule to provide services and replace inventory items under s. 758.19 (2).~~ All moneys received from providing ~~those~~ services and selling documents under s. 758.19 (2) ~~shall be credited to this appropriation~~ to provide services and sell documents related to uniform forms, special reports, photocopies and pamphlets under s. 758.19 (2).

**SECTION 604.** 20.680 (2) (i) of the statutes is amended to read:

20.680 **(2)** (i) *Municipal judge training.* ~~The amounts in the schedule for municipal judge training.~~ All moneys received from municipalities for municipal judge training programs ~~shall be credited to this appropriation~~ to be used for municipal judge training.

**SECTION 605.** 20.680 (2) (j) of the statutes is amended to read:

20.680 **(2)** (j) *Court information systems ~~and interpreters~~.* ~~The amounts in the schedule for the operation of circuit court automated systems under s. 758.19 (4), the court of appeals automated information system and the supreme court automated information system and for the payment of interpreter fees under s. 885.37 (4) (a) 2.~~ All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections and ~~two–sevenths~~ four–ninths of the moneys received under s. 814.635 (1) ~~shall be credited to this appropriation account. The supreme court may transfer moneys from this appropriation account to the appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k)~~ for the operation of circuit court automated information systems under s. 758.19 (4).

**SECTION 605d.** 20.680 (2) (j) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.680 **(2)** (j) *Court information systems.* All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections and ~~four–ninths~~ six–ninths of the moneys received under s. 814.635 (1) for the operation of circuit court automated information systems under s. 758.19 (4).

**SECTION 605f.** 20.680 (2) (ka) of the statutes is repealed.

**SECTION 605g.** 20.680 (2) (kp) of the statutes is created to read:

20.680 **(2)** (kp) *Court information systems; penalty assessment receipts.* The amounts in the schedule for the operation of circuit court automated information systems under s. 758.19 (4). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 16. shall be credited to this appropriation account.

**SECTION 605h.** 20.680 (2) (kp) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 605m.** 20.680 (4) (a) of the statutes is amended to read:

20.680 **(4)** (a) *General program operations.* ~~The~~ Biennially, the amounts in the schedule for general program operations.

**SECTION 606.** 20.680 (4) (g) of the statutes is amended to read:

20.680 **(4)** (g) *Library collections and services.* ~~The amounts in the schedule for photocopying and microfilm copying of documents, generation of copies of documents from optical disk or electronic storage, publication of books, computer services and other services provided by the state law library in carrying out its functions.~~ All moneys received by the state law library as fees or other charges for photocopying, microfilm copying, generation of copies of documents from optical disk or electronic storage, computer services, sales of books and other services provided in carrying out the functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation~~ to provide photocopying and microfilm copying of documents, generation of copies of documents from optical disk or electronic storage, publication of books, computer services and other services.

**SECTION 606d.** 20.765 (1) (ka) of the statutes is repealed.

**SECTION 606m.** 20.765 (3) (fa) of the statutes is amended to read:

20.765 **(3)** (fa) *Membership in national associations.* A sum sufficient to be disbursed under s. 13.90 (4) for payment of the annual fees entitling the legislature

to membership in national organizations including, without limitation because of enumeration, the national conference of state legislatures~~,~~ and the national conference of the Commission on Uniform State Laws ~~and the national committee on uniform traffic laws and ordinances~~.

**SECTION 610.** 20.835 (2) (ep) of the statutes is amended to read:

20.835 **(2)** (ep) *Cigarette and tobacco product tax refunds.* A sum sufficient to pay refunds under ss. 139.323 ~~and~~, 139.325, 139.803 and 139.805.

**SECTION 611.** 20.835 (2) (f) of the statutes is amended to read:

20.835 **(2)** (f) *Earned income tax credit.* A sum sufficient to pay the excess claims approved under s. 71.07 (9e)~~, except the claims paid under par. (k)~~ that are not paid under par. (kf).

**SECTION 612.** 20.835 (2) (k) of the statutes, as created by 1997 Wisconsin Act 27, is repealed.

**SECTION 612m.** 20.835 (2) (kf) of the statutes is created to read:

20.835 **(2)** (kf) *Earned income tax credit; temporary assistance for needy families.* The amounts in the schedule to be used to pay, to the extent permitted under federal law, the claims approved under s. 71.07 (9e). All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

**SECTION 613.** 20.835 (4) (g) of the statutes is amended to read:

20.835 **(4)** (g) *County taxes.* All moneys received from the taxes imposed under s. 77.70 for distribution to the counties that enact an ordinance imposing taxes under that section and for interest payments on refunds under s. 77.76 (3), except that ~~1.5%~~ 1.75% of those tax revenues collected under that section shall be credited to the appropriation account under s. 20.566 (1) (g).

**SECTION 613e.** 20.835 (4) (gg) of the statutes is amended to read:

20.835 **(4)** (gg) *Local taxes.* ~~Ninety–seven~~ Ninety–eight and one quarter percent of the moneys received from the taxes imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77, for distribution to the districts under subch. II of ch. 229 that impose those taxes.

**SECTION 613f.** 20.855 (1) (bm) of the statutes is created to read:

20.855 **(1)** (bm) *Payment of canceled drafts.* A sum sufficient to pay demands under s. 20.912 (3).

**SECTION 613g.** 20.855 (1) (dm) of the statutes is created to read:

20.855 **(1)** (dm) *Interest reimbursements to federal government.* A sum sufficient to pay any interest reimbursement to the federal government relating to the timing of expenditures by the state pursuant to a federal government grant program or federal government contract.

**SECTION 613h.** 20.855 (1) (gm) of the statutes is created to read:

20.855 **(1)** (gm) *Payment of canceled drafts; program revenues.* From the appropriate program revenue and program revenue–service accounts, a sum sufficient to pay demands under s. 20.912 (3).

**SECTION 613k.** 20.855 (1) (rm) of the statutes is created to read:

20.855 **(1)** (rm) *Payment of canceled drafts; segregated revenues.* From the appropriate segregated funds, a sum sufficient to pay demands under s. 20.912 (3).

**SECTION 613m.** 20.855 (8) of the statutes is created to read:

20.855 **(8)** MARQUETTE UNIVERSITY. (a) *Dental clinic and education facility; principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction grant under s. 13.48 (32), and to make the payments determined by the

building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction grant under s. 13.48 (32).

**SECTION 614.** 20.865 (1) (cb) of the statutes is created to read:

20.865 **(1)** (cb) *Pay rate or range adjustments.* The amounts in the schedule to supplement the appropriations to the departments of corrections and health and family services for the increased costs of compensation, as determined by the secretary of administration, for employes of the departments of corrections and health and family services who perform duties relating to the supervision of inmates or residents and who received pay rate or range adjustments in 1999 under s. 230.09 (2) (b).

**SECTION 615.** 20.865 (1) (cb) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 616.** 20.865 (1) (e) of the statutes is created to read:

20.865 **(1)** (e) *Additional biweekly payroll.* The amounts in the schedule to pay salary and fringe benefit costs incurred during the 27th pay period in any fiscal year in which such a period occurs for employment of permanent state employes, including permanent project employes, on the biweekly payroll system.

**SECTION 617.** 20.865 (1) (e) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 618.** 20.865 (1) (ib) of the statutes is created to read:

20.865 **(1)** (ib) *Pay rate or range adjustments; program revenues.* From the appropriate program revenue and program revenue–service accounts, the amounts in the schedule to supplement the appropriations to the departments of corrections and health and family services for the increased costs of compensation, as determined by the secretary of administration, for employes of the departments of

corrections and health and family services who perform duties relating to the supervision of inmates or residents and who received pay rate or range adjustments in 1999 under s. 230.09 (2) (b).

**SECTION 619.** 20.865 (1) (ib) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 620.** 20.865 (1) (jm) of the statutes is created to read:

20.865 **(1)** (jm) *Additional biweekly payroll; nonfederal program revenues.* From the appropriate nonfederal program revenue and program revenue–service accounts, a sum sufficient to pay salary and fringe benefit costs incurred during the 27th pay period in any fiscal year in which such a period occurs for employment of permanent state employes, including permanent project employes, on the biweekly payroll system.

**SECTION 621.** 20.865 (1) (jm) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 622.** 20.865 (1) (m) of the statutes is created to read:

20.865 **(1)** (m) *Additional biweekly payroll; federal program revenues.* From the appropriate federal program revenue accounts, a sum sufficient to pay salary and fringe benefit costs incurred during the 27th pay period in any fiscal year in which such a period occurs for employment of permanent state employes, including permanent project employes, on the biweekly payroll system.

**SECTION 623.** 20.865 (1) (m) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 624.** 20.865 (1) (tm) of the statutes is created to read:

20.865 **(1)** (tm) *Additional biweekly payroll; nonfederal segregated revenues.* From the appropriate segregated funds derived from nonfederal segregated

revenues, a sum sufficient to pay salary and fringe benefit costs incurred during the 27th pay period in any fiscal year in which such a period occurs for employment of permanent state employes, including permanent project employes, on the biweekly payroll system.

**SECTION 625.** 20.865 (1) (tm) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 626.** 20.865 (1) (x) of the statutes is created to read:

20.865 **(1)** (x) *Additional biweekly payroll; federal segregated revenues.* From the appropriate segregated funds derived from federal segregated revenues, a sum sufficient to pay salary and fringe benefit costs incurred during the 27th pay period in any fiscal year in which such a period occurs for employment of permanent state employes, including permanent project employes, on the biweekly payroll system.

**SECTION 627.** 20.865 (1) (x) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 628.** 20.866 (1) (u) of the statutes, as affected by 1997 Wisconsin Act 27, section 727, is amended to read:

20.866 **(1)** (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (f), 20.190 (1) (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih) ~~and~~, (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (aq), (ar), (at), (au), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (d), (g) and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (g), (h), (i) and (q) for the

payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

**SECTION 628m.** 20.866 (2) (s) of the statutes, as affected by 1997 Wisconsin Act 27, section 727m, is amended to read:

20.866 **(2)** (s) *University of Wisconsin; academic facilities.* From the capital improvement fund, a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~$791,009,100~~ $859,508,700 for this purpose.

**SECTION 629e.** 20.866 (2) (t) of the statutes is amended to read:

20.866 **(2)** (t) *University of Wisconsin; self–amortizing facilities.* From the capital improvement fund, a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university self–amortizing educational facilities. The state may contract public debt in an amount not to exceed ~~$438,248,600~~ $513,941,400 for this purpose. Of this amount, $4,500,000 is allocated only for the university of Wisconsin–Madison indoor practice facility for athletic programs and only at the time that ownership of the facility is transferred to the state.

**SECTION 629m.** 20.866 (2) (ta) of the statutes is created to read:

20.866 **(2)** (ta) *Natural resources; Warren Knowles–Gaylord Nelson stewardship 2000 program.* From the capital improvement fund a sum sufficient for the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917. The state may contract public debt in an amount not to exceed $404,000,000 for this program. Except as provided in s. 23.0917 (5), the amounts obligated, as defined in

s. 23.0917 (1) (e), under this paragraph may not exceed $40,400,000 in each fiscal year.

**SECTION 629s.** 20.866 (2) (tc) of the statutes is amended to read:

20.866 **(2)** (tc) *Clean water fund program.* From the capital improvement fund, a sum sufficient for the ~~purpose~~ purposes of s. 281.57 (10m) and (10r) and to be transferred to the environmental improvement fund for the purposes of the clean water fund program and the urban storm water loan program under ss. 281.58 ~~and~~, 281.59 and 281.595. The state may contract public debt in an amount not to exceed ~~$552,743,200~~ $556,843,200 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, $8,250,000 is allocated to fund the minority business development and training program under s. 66.905 (2) (b). Moneys from this appropriation account may be expended for the ~~purpose~~ purposes of s. 281.57 (10m) and (10r) only in the amount by which the department of natural resources and the department of administration determine that moneys available under par. (tn) are insufficient for the ~~purpose for~~ purposes of s. 281.57 (10m) and (10r).

**SECTION 630.** 20.866 (2) (td) of the statutes is amended to read:

20.866 **(2)** (td) *Safe drinking water loan program.* From the capital improvement fund, a sum sufficient to be transferred to the environmental improvement fund for the safe drinking water loan program under s. 281.61. The state may contract public debt in an amount not to exceed ~~$12,130,000~~ $16,000,000 for this purpose.

**SECTION 631b.** 20.866 (2) (te) of the statutes is amended to read:

20.866 **(2)** (te) *Natural resources; nonpoint source grants.* From the capital improvement fund, a sum sufficient for the department of natural resources to

provide funds for nonpoint source water pollution abatement projects under ~~ss.~~ s. ~~281.16 (5) and~~ 281.65. The state may contract public debt in an amount not to exceed ~~$34,363,600~~ $56,763,600 for this purpose. ~~Of this amount, $2,000,000 may only be used for projects selected under s. 281.65 (4c) (c) after July 1, 1998.~~

**SECTION 632b.** 20.866 (2) (tf) of the statutes is amended to read:

20.866 **(2)** (tf) *Natural resources; nonpoint source* ~~*compliance*~~. From the capital improvement fund, a sum sufficient for the department of natural resources to fund ~~cost–sharing grants under s. 281.16 (5) for projects to assist agricultural facilities to comply with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3) and, before any rules promulgated under s. 281.16 (3) take effect, to fund~~ nonpoint source water pollution abatement projects under s. 281.65. The state may contract public debt in an amount not to exceed $2,000,000 for this purpose.

**SECTION 632f.** 20.866 (2) (th) of the statutes is created to read:

20.866 **(2)** (th) *Natural resources; urban nonpoint source cost–sharing.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide cost–sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 281.66. The state may contract public debt in an amount not to exceed $15,000,000 for this purpose.

**SECTION 632h.** 20.866 (2) (ti) of the statutes is created to read:

20.866 **(2)** (ti) *Natural resources; municipal flood control and riparian restoration.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide municipal flood control and riparian restoration cost–sharing grants under s. 281.665. The state may contract public debt in an amount not to exceed $3,000,000 for this purpose.

**SECTION 632m.** 20.866 (2) (tk) of the statutes is amended to read:

20.866 **(2)** (tk) *Natural resources; environmental segregated fund supported administrative facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage and maintenance facilities. The state may contract public debt in an amount not to exceed ~~$145,000~~ $3,050,900 for this purpose.

**SECTION 633.** 20.866 (2) (tL) of the statutes is amended to read:

20.866 **(2)** (tL) *Natural resources; segregated revenue supported dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects*. From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts ~~in conducting~~ for dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects under s. 31.385. The state may contract public debt in an amount not to exceed $6,350,000 for this purpose.

**SECTION 633g.** 20.866 (2) (tn) of the statutes is amended to read:

20.866 **(2)** (tn) *Natural resources; pollution abatement and sewage collection facilities.* From the capital improvement fund, a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 281.57 including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and encumbrances authorized under s. 281.57 before July 1, 1990, except for reimbursements made under s. 281.57 (9m) (a) and except as provided in s. 281.57 (10m) and (10r). Payments may also be

made from this appropriation for expenditures and encumbrances resulting from disputed costs under s. 281.57 if an appeal of an eligibility determination is filed before July 1, 1990, and the result of the dispute requires additional funds for an eligible project. The state may contract public debt in an amount not to exceed $902,449,800 for this purpose.

**SECTION 633m.** 20.866 (2) (tr) of the statutes is amended to read:

20.866 **(2)** (tr) *Natural resources; recreation development.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed ~~$23,061,500~~ $23,173,500 for this purpose.

**SECTION 633p.** 20.866 (2) (tu) of the statutes is amended to read:

20.866 **(2)** (tu) *Natural resources; segregated revenue supported facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage or maintenance facilities and to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed ~~$18,746,600~~ $23,376,600 for this purpose.

**SECTION 633r.** 20.866 (2) (tv) of the statutes is amended to read:

20.866 **(2)** (tv) *Natural resources; general fund supported administrative facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment, storage or maintenance

facilities. The state may contract public debt in an amount not to exceed ~~$8,295,800~~ $10,882,400 for this purpose.

**SECTION 634.** 20.866 (2) (tx) of the statutes is amended to read:

20.866 **(2)** (tx) *Natural resources; dam* ~~*maintenance, repair, modification, abandonment and removal*~~ *safety projects*. From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts ~~in conducting~~ for dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects under s. 31.385. The state may contract public debt in an amount not to exceed $5,500,000 for this purpose.

**SECTION 634m.** 20.866 (2) (tz) of the statutes is amended to read:

20.866 **(2)** (tz) *Natural resources; Warren Knowles–Gaylord Nelson stewardship program*. From the capital improvement fund a sum sufficient for the purposes specified in s. 23.0915 (1). The state may contract public debt in an amount not to exceed $231,000,000 for this purpose. ~~Except as provided in s. 23.0915 (2), the amounts expended under this paragraph and the amounts received and expended by the state for land acquisition under 16 USC 669–669i, 777–777i and 460L–460L–22 may not exceed $25,000,000 in each fiscal year.~~

**SECTION 635.** 20.866 (2) (uv) of the statutes is amended to read:

20.866 **(2)** (uv) *Transportation, harbor improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed ~~$15,000,000~~ $18,000,000 for this purpose.

**SECTION 636.** 20.866 (2) (uw) of the statutes is amended to read:

20.866 **(2)** (uw) *Transportation; rail acquisitions and improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d). The state may contract public debt in an amount not to exceed ~~$19,000,000~~ $23,500,000 for these purposes.

**SECTION 636d.** 20.866 (2) (ux) of the statutes is amended to read:

20.866 **(2)** (ux) *Corrections; correctional facilities.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve adult and juvenile correctional facilities. The state may contract public debt in an amount not to exceed ~~$594,680,500~~ $697,679,300 for this purpose.

**SECTION 636p.** 20.866 (2) (uz) of the statutes is amended to read:

20.866 **(2)** (uz) *Corrections; juvenile correctional facilities.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve juvenile correctional facilities. The state may contract public debt in an amount not to exceed ~~$26,441,500~~ $27,726,500 for this purpose.

**SECTION 636t.** 20.866 (2) (v) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

20.866 **(2)** (v) *Health and family services; mental health and secure treatment facilities.* From the capital improvement fund, a sum sufficient for the department of health and family services to acquire, construct, develop, enlarge or extend mental health and secure treatment facilities. The state may contract public debt in an amount not to exceed ~~$118,712,500~~ $125,705,700 for this purpose.

**SECTION 637.** 20.866 (2) (we) of the statutes is amended to read:

20.866 **(2)** (we) *Agriculture; soil and water.* From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide for soil and water resource management under s. 92.14. The state may contract public debt in an amount not to exceed ~~$3,000,000~~ $6,575,000 for this purpose.

**SECTION 638am.** 20.866 (2) (ws) of the statutes is created to read:

20.866 **(2)** (ws) *Administration; educational communications facilities.* From the capital improvement fund, a sum sufficient for the building commission to provide grants to the broadcasting corporation, as defined in s. 39.81 (2), to acquire, construct, develop, enlarge or improve educational communications facilities. Unless the secretary of administration first determines under s. 39.88 (1) that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), no moneys may be encumbered or public debt contracted under this paragraph. If the secretary of administration determines that the transfer of licenses has been approved, on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), the state may, for the purpose of this appropriation, contract public debt in an amount not to exceed $18,067,800 less any amount contracted on behalf of the former educational communications board before the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 638b.** 20.866 (2) (xb) of the statutes is amended to read:

20.866 **(2)** (xb) *Building commission; refunding corporation self–amortizing debt.* From the capital improvement fund, a sum sufficient to fund or refund the

whole or any part of any unpaid indebtedness used to finance self–amortizing facilities in which program revenues or corresponding segregated revenues from program receipts reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an amount not to exceed ~~$1,940,000~~ $870,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the purposes for which the debt was refinanced. The refunding authority provided in this paragraph may be used only if the true interest costs to the state can be reduced thereby.

**SECTION 638c.** 20.866 (2) (y) of the statutes is amended to read:

20.866 **(2)** (y) *Building commission; housing state departments and agencies.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed ~~$259,727,600~~ $328,146,600 for this purpose.

**SECTION 638g.** 20.866 (2) (yg) of the statutes is amended to read:

20.866 **(2)** (yg) *Building commission; project contingencies.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of funding project contingencies for projects enumerated in the authorized state building program for state departments and agencies. The state may contract public debt in an amount not to exceed ~~$28,233,200~~ $36,188,400 for this purpose.

**SECTION 638n.** 20.866 (2) (ym) of the statutes is amended to read:

20.866 **(2)** (ym) *Building commission; capital equipment acquisition.* From the capital improvement fund, a sum sufficient to the state building commission to acquire capital equipment for state departments and agencies. The state may contract public debt in an amount not to exceed ~~$84,312,100~~ $105,370,400 for this purpose.

**SECTION 638r.** 20.866 (2) (z) (intro.) of the statutes is amended to read:

20.866 **(2)** (z) *Building commission; other public purposes.* (intro.) From the capital improvement fund, a sum sufficient to the building commission for relocation assistance and capital improvements for other public purposes authorized by law but not otherwise specified in this chapter. The state may contract public debt in an amount not to exceed ~~$919,466,000~~ $1,056,769,500 for this purpose. Of this amount:

**SECTION 638tm.** 20.866 (2) (zbL) of the statutes is created to read:

20.866 **(2)** (zbL) *Milwaukee Area Technical College; digital television conversion.* From the capital improvement fund, a sum sufficient for the building commission to provide grants to the Milwaukee Area Technical College to aid in the acquisition, construction, development, enlargement or improvement of facilities and equipment related to the conversion to digital television. The state may contract public debt in an amount not to exceed $3,500,000 for this purpose.

**SECTION 638w.** 20.866 (2) (zbm) of the statutes is created to read:

20.866 **(2)** (zbm) *Marquette University; dental clinic and education facility.* From the capital improvement fund, a sum sufficient to provide a grant to Marquette University to aid in the construction of a dental clinic and education facility. The state may contract public debt in an amount not to exceed $15,000,000 for this purpose.

**SECTION 639.** 20.866 (2) (zc) of the statutes is amended to read:

20.866 **(2)** (zc) *Technology for educational achievement in Wisconsin board; school district educational technology infrastructure ~~loans~~ financial assistance*. From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board to ~~make subsidized~~ provide educational technology infrastructure ~~loans~~ financial assistance to school districts under s. 44.72 (4). The state may contract public debt in an amount not to exceed $100,000,000 for this purpose.

**SECTION 640.** 20.866 (2) (zcm) of the statutes is amended to read:

20.866 **(2)** (zcm) *Technology for educational achievement in Wisconsin board; public library educational technology infrastructure ~~loans~~ financial assistance*. From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board to ~~make subsidized~~ provide educational technology infrastructure ~~loans~~ financial assistance to public library boards under s. 44.72 (4). The state may contract public debt in an amount not to exceed $10,000,000 for this purpose.

**SECTION 641g.** 20.866 (2) (zd) of the statutes is amended to read:

20.866 **(2)** (zd) *Educational communications board; educational communications facilities*. From the capital improvement fund, a sum sufficient for the educational communications board to acquire, construct, develop, enlarge or improve educational communications facilities. The state may contract public debt in an amount not to exceed ~~$8,354,100~~ $18,067,800 for this purpose. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the

secretary of administration under s. 39.88 (2), the state may not contract public debt under paragraph.

**SECTION 641m.** 20.866 (2) (zfm) of the statutes is created to read:

20.866 **(2)** (zfm) *Historical society; heritage trust program*. From the capital improvement fund, a sum sufficient for the historical society to award grants under s. 44.49. The state may contract public debt in an amount not to exceed $20,000,000 for this purpose. The total amount of debt authorized under this paragraph may not exceed the following amounts on the following dates:

1. Prior to July 1, 2000, $2,000,000.
2. July 1, 2000, to June 30, 2001, $4,000,000.
3. July 1, 2001, to June 30, 2002, $6,000,000.
4. July 1, 2002, to June 30, 2003, $8,000,000.
5. July 1, 2003, to June 30, 2004, $10,000,000.
6. July 1, 2004, to June 30, 2005, $12,000,000.
7. July 1, 2005, to June 30, 2006, $14,000,000.
8. July 1, 2006, to June 30, 2007, $16,000,000.
9. July 1, 2007, to June 30, 2008, $18,000,000.
10. July 1, 2008, to June 30, 2009, $20,000,000.

**SECTION 641r.** 20.866 (2) (zj) of the statutes is amended to read:

20.866 **(2)** (zj) *Military affairs; armories and military facilities.* From the capital improvement fund, a sum sufficient for the department of military affairs to acquire, construct, develop, enlarge, or improve armories and other military facilities. The state may contract public debt in an amount not to exceed ~~$19,590,200~~ $20,417,300 for this purpose.

**SECTION 642.** 20.866 (2) (zn) of the statutes is amended to read:

20.866 **(2)** (zn) *Veterans affairs; self–amortizing mortgage loans.* From the capital improvement fund, a sum sufficient for the department of veterans affairs for loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an amount not to exceed ~~$1,807,500,000~~ $2,020,500,000 for this purpose.

**SECTION 642e.** 20.866 (2) (zp) of the statutes is amended to read:

20.866 **(2)** (zp) *Veterans affairs; self–amortizing ~~housing~~ facilities.* From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve ~~housing~~ facilities at state veterans homes. The state may contract public debt in an amount not to exceed ~~$2,031,900~~ $15,941,000 for this purpose.

**SECTION 642m.** 20.866 (2) (zx) of the statutes is amended to read:

20.866 **(2)** (zx) *State fair park board; board facilities.* From the capital improvement fund, a sum sufficient for the state fair park board to acquire, construct, develop, enlarge or improve state fair park board facilities. The state may contract public debt in an amount not to exceed ~~$2,000,000~~ $3,887,100 for this purpose.

**SECTION 642r.** 20.866 (2) (zz) of the statutes is amended to read:

20.866 **(2)** (zz) *State fair park board; self–amortizing facilities.* From the capital improvement fund, a sum sufficient to the state fair park board to acquire, construct, develop, enlarge or improve facilities at the state fair park in West Allis. The state may contract public debt not to exceed ~~$27,850,000~~ $44,787,100 for this purpose.

**SECTION 642t.** 20.867 (2) (ka) of the statutes is repealed.

**SECTION 642t.** 20.867 (3) (bm) of the statutes is created to read:

20.867 **(3)** (bm) *Principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities and equipment related to the conversion to digital television at Milwaukee Area Technical College, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the acquisition, construction, development, enlargement or improvement of facilities and equipment related to the conversion to digital television at Milwaukee Area Technical College.

**SECTION 643.** 20.867 (3) (h) of the statutes is amended to read:

20.867 **(3)** (h) *Principal repayment, interest and rebates.* A sum sufficient to guarantee full payment of principal and interest costs for self–amortizing or partially self–amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1) ~~(kd) and~~ (ih), (kd) and (km), 20.370 (7) (eq) and 20.485 (1) (go) if moneys available in those appropriations are insufficient to make full payment, and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1) ~~(kd) or~~ (ih), (kd) or (km) or 20.485 (1) (go) is insufficient to make full payment of those amounts. All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making of transfers from program revenue appropriations and corresponding appropriations from program receipts in segregated funds and including actions to enforce

contractual obligations that will result in additional program revenue for the state, to ensure recovery of the amounts advanced.

**SECTION 643m.** 20.870 of the statutes is repealed.

**SECTION 644e.** 20.912 (2) of the statutes is amended to read:

20.912 **(2)** ~~RESERVE FOR~~ PAYMENT OF CANCELED DRAFTS. ~~All amounts credited pursuant to sub. (1) shall be credited by the department of administration to a continuing reserve for checks, share drafts and other drafts canceled of the fund concerned, to be used for the payment of demands under sub. (3).~~ Any check, share draft or other draft canceled on which demand for payment has not been presented within 6 years from date of issue shall ~~be reverted from the reserve for canceled checks, share drafts and other drafts to the general revenues of the fund concerned by the department of administration~~ not be paid under sub. (3).

**SECTION 644p.** 20.912 (3) of the statutes is amended to read:

20.912 **(3)** REISSUE OF CANCELED CHECKS, SHARE DRAFTS AND OTHER DRAFTS. ~~When~~ Subject to sub. (2), when the payee or person entitled to any check, share draft or other draft canceled under sub. (1) by the state treasurer, or the payee or person entitled to any warrant so canceled by the department of administration, demands such check, share draft, other draft or warrant or payment thereof, the department of administration shall issue a new warrant therefor, to be paid ~~out of the proper fund by the state treasurer~~ from the appropriate appropriation account under s. 20.855 (1) (bm), (gm) or (rm).

**SECTION 646.** 20.923 (4) (c) 5. of the statutes is created to read:

20.923 **(4)** (c) 5. Governor's work–based learning board: executive director.

**SECTION 647.** 20.923 (4) (e) 1e. of the statutes is amended to read:

20.923 **(4)** (e) 1e. Educational communications board: executive director. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), this subdivision does not apply on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 647m.** 20.923 (6) (aj) of the statutes is created to read:

20.923 **(6)** (aj) Administration, department of: all positions specified in s. 230.08 (2) (km).

**SECTION 648m.** 20.923 (6) (b) of the statutes is amended to read:

20.923 **(6)** (b) Educational communications board: unclassified professional staff. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 649.** 20.923 (17) of the statutes is repealed.

**SECTION 649g.** 20.924 (1) (i) of the statutes is created to read:

20.924 **(1)** (i) Shall not authorize the acquisition or leasing of any building, structure or facility, or portion thereof, under s. 301.19 (2) (a), for initial occupancy by the department of corrections for the purpose of confining persons serving a sentence of imprisonment to the Wisconsin state prisons under ch. 973 unless the seller or lessor agrees as follows:

1. Not to permit any employe working on the building, structure or facility, or portion thereof, who would be entitled to receive the prevailing wage rate under s. 103.49 and who would not be required or permitted to work more than the prevailing hours of labor, if the building, structure or facility, or portion thereof, were a project of public works subject to s. 103.49, to be paid less than the prevailing wage rate or to be required or permitted to work more than the prevailing hours of labor, except as permitted under s. 103.49 (2).

2. To require any contractor, subcontractor or agent thereof performing work on the building, structure or facility, or portion thereof, to keep and permit inspection of records in the same manner as a contractor, subcontractor or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to keep and permit inspection of records under s. 103.49 (5).

3. Otherwise to comply with s. 103.49 in the same manner as a state agency contracting for the erection, construction, remodeling, repairing or demolition of a project of public works is required to comply with s. 103.49 and to require any contractor, subcontractor or agent thereof performing work on the building, structure or facility, or portion thereof, to comply with s. 103.49 in the same manner as a contractor, subcontractor or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to comply with s. 103.49.

**SECTION 649m.** 20.924 (1) (im) of the statutes is created to read:

20.924 **(1)** (im) Shall not enter into any lease or other contract that provides for the construction of any building, structure or facility, or portion thereof, for initial occupancy by the state and that contains an option for the state to purchase the building, structure or facility unless the construction and purchase of the building,

structure or facility is enumerated in the authorized state building program prior to entering into the lease or other contract.

**SECTION 649n.** 20.924 (1) (j) of the statutes is created to read:

20.924 **(1)** (j) Shall not enter into any lease or other contract that provides for the construction of any building, structure or facility, or portion thereof, for initial occupancy by the state and that contains an option for the state to purchase the building, structure or facility unless the seller or lessor agrees to all of the following requirements:

1. Bids or competitive sealed proposals will be submitted to the seller or lessor in accordance with the procedure for soliciting and submitting bids or competitive sealed proposals to the department of administration for contracts entered into by the state.

2. The contractor or contractors who construct the building, structure or facility, or portion thereof, will ensure that at least 5% of the total amount expended for construction of the building, structure or facility, or portion thereof, is awarded to contractors or subcontractors who are minority businesses, as defined in s. 16.75 (3m) (a), and that the department of administration is empowered to enforce this requirement.

3. The seller or lessor will do all of the following:

a. Not permit any employe working on the building, structure or facility, or portion thereof, who would be entitled to receive the prevailing wage rate under s. 103.49 and who would not be required or permitted to work more than the prevailing hours of labor, if the building, structure or facility, or portion thereof, were a project of public works subject to s. 103.49, to be paid less than the prevailing wage rate or

to be required or permitted to work more than the prevailing hours of labor, except as permitted under s. 103.49 (2).

b. Require any contractor, subcontractor or agent thereof performing work on the building, structure or facility, or portion thereof, to keep and permit inspection of records in the same manner as a contractor, subcontractor or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to keep and permit inspection of records under s. 103.49 (5).

c. Otherwise comply with s. 103.49 in the same manner as a state agency contracting for the erection, construction, remodeling, repairing or demolition of a project of public works is required to comply with s. 103.49 and require any contractor, subcontractor or agent thereof performing work on the building, structure or facility, or portion thereof, to comply with s. 103.49 in the same manner as a contractor, subcontractor or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to comply with s. 103.49.

**SECTION 649p.** 20.924 (2) of the statutes is repealed.

**SECTION 649r.** 20.924 (3) of the statutes is created to read:

20.924 **(3)** Subsection (1) does not apply to the establishment and development of a state park as specified under s. 23.0917 (4) (e).

**SECTION 650.** 20.927 (1) of the statutes is amended to read:

20.927 **(1)** Except as provided under subs. (2) and (3), no funds of this state or of any county, city, village ~~or~~, town <u>or family care district under s. 46.2895</u> or of any subdivision or agency of this state or of any county, city, village or town and no federal funds passing through the state treasury shall be authorized for or paid to a physician or surgeon or a hospital, clinic or other medical facility for the performance of an abortion.

**SECTION 651.** 20.9275 (1) (b) of the statutes is amended to read:

20.9275 **(1)** (b) "Local governmental unit" means a city, village, town ~~or~~, county or family care district under s. 46.2895 or an agency or subdivision of a city, village, town or county.

**SECTION 652.** 20.9275 (2) (intro.) of the statutes is amended to read:

20.9275 **(2)** (intro.) No state agency or local governmental unit may authorize payment of funds of this state, of any local governmental unit or, subject to sub. (3m), of federal funds passing through the state treasury as a grant, subsidy or other funding that wholly or partially or directly or indirectly involves pregnancy programs, projects or services, that is a grant, subsidy or other funding under s. 46.93, 46.99, 46.995, ~~46.997,~~ 253.05, 253.07, 253.08 or 253.085 or 42 USC 701 to 710, if any of the following applies:

**SECTION 653.** 20.930 of the statutes is amended to read:

**20.930 Attorney fees.** ~~No~~ Except as provided in ss. 46.27 (7g) (h), 49.496 (3) (f) and 49.682 (6), no state agency in the executive branch may employ any attorney until such employment has been approved by the governor.

**SECTION 655.** 21.25 (1) of the statutes is amended to read:

21.25 **(1)** The department of military affairs shall administer the Badger Challenge program for disadvantaged youth. The department shall recruit 10% of the 1999–2000 class of the program from families who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq. The department shall recruit 25% of the 2000–01 class of the program from families who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq. The department of military affairs shall promulgate rules for administering the Badger Challenge program.

**SECTION 656.** 21.49 (2) (e) of the statutes is amended to read:

21.49 **(2)** (e) Delinquent in child support or maintenance payments and who does not owe past support, medical expenses or birth expenses, as established by the ~~receipt by the department of a certification under s. 49.855 (7)~~ appearance of the guard member's name on the statewide support lien docket under s. 49.854 (2) (b), unless the guard member provides to the department a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 658m.** 23.09 (2) (d) 6. of the statutes is amended to read:

23.09 **(2)** (d) 6. For preservation of any endangered species ~~defined in~~ or threatened species under s. 29.604 ~~(2)~~.

**SECTION 659m.** 23.09 (2) (d) 14. of the statutes is amended to read:

23.09 **(2)** (d) 14. For habitat areas and fisheries.

**SECTION 659p.** 23.09 (2) (d) 16. of the statutes is created to read:

23.09 **(2)** (d) 16. For bluff protection under s. 30.24.

**SECTION 659t.** 23.09 (2dm) (b) of the statutes is amended to read:

23.09 **(2dm)** (b) The department shall allocate at least $1,720,000 of the moneys appropriated under s. 20.866 (2) (tz) in each fiscal year for the acquisition of lands within the boundaries of projects established after January 1, 1988. This paragraph does not apply after June 30, 2000.

**SECTION 661b.** 23.09 (2p) (b) of the statutes is amended to read:

23.09 **(2p)** (b) ~~Beginning July 1, 1990, and except~~ Except as provided in par. (c), an amount of money equal to the value of the donation under par. (a) shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for land acquisition activities for the same project for which any donation was made on

or after August 9, 1989. The department shall determine how the moneys being released are to be allocated from these appropriations. This paragraph does not apply to transfers of land from agencies other than the department.

**SECTION 661c.** 23.09 (2p) (c) of the statutes is renumbered 23.09 (2p) (c) 1. and amended to read:

23.09 **(2p)** (c) 1. If the moneys ~~to be released~~ allocated under par. (b) for release from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (b) will exceed the expenditure limit under sub. (2r) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (2r), as adjusted under s. 23.0915 (2) and after deducting the allocation under sub. (2dm) (b), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (2r), as adjusted under s. 23.0915 (2) and after deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released. This subdivision does not apply after June 30, 2000.

**SECTION 661d.** 23.09 (2p) (c) 2. of the statutes is created to read:

23.09 **(2p)** (c) 2. If the moneys allocated under par. (b) for release from the appropriation under s. 20.866 (2) (ta) to match a donation under par. (b) will exceed the annual bonding authority for the subprogram under s. 23.0917 (3) for a given fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated

under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as adjusted under s. 23.0917 (5), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

**SECTION 661e.** 23.09 (19) (a) 2. of the statutes is amended to read:

23.09 **(19)** (a) 2. "~~Local governmental~~ Governmental unit" means a city, village, town, county, lake sanitary district, as defined in s. 30.50 (4q), ~~or~~ public inland lake protection and rehabilitation district or the Kickapoo reserve management board.

**SECTION 661f.** 23.09 (19) (a) 3. of the statutes is created to read:

23.09 **(19)** (a) 3. "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

**SECTION 661g.** 23.09 (19) (b) of the statutes is amended to read:

23.09 **(19)** (b) Any ~~local~~ governmental unit may apply for state aid for the acquisition of lands and rights in lands for urban green space. Each application shall include a comprehensive description of the proposal for urban green space acquisition, plans for development and management of the land and any other information required by the department.

**SECTION 661h.** 23.09 (19) (c) (intro.) of the statutes is amended to read:

23.09 **(19)** (c) (intro.) The department may ~~approve~~ award grants from the appropriation under s. 20.866 (2) (tz) for the acquisition of land or rights in land for urban green space under this subsection for the following purposes:

**SECTION 661i.** 23.09 (19) (cg) of the statutes is created to read:

23.09 **(19)** (cg) The department may award grants from the appropriation under s. 20.866 (2) (ta) for the acquisition of land or rights in land for urban green

space under this subsection only for the purposes of nature–based outdoor recreation.

**SECTION 661j.** 23.09 (19) (d) of the statutes is amended to read:

23.09 **(19)** (d) Grants under this subsection shall be for up to 50% of the ~~cost of acquiring~~ acquisition costs of the land or the rights in land for the urban green space. The ~~local~~ governmental unit is responsible for the remainder of the acquisition ~~cost~~ costs.

**SECTION 661k.** 23.09 (19) (e) of the statutes is amended to read:

23.09 **(19)** (e) As part of its approval of a grant, the department shall specify for which of the purposes listed in par. (c) the ~~local~~ governmental unit may use the land or the rights in the land acquired with the grant. The ~~local~~ governmental unit may not convert the land or the rights in the land acquired under this subsection to a use that is inconsistent with the uses as approved by the department.

**SECTION 661L.** 23.09 (19) (f) of the statutes is renumbered 23.09 (19) (f) 1. and amended to read:

23.09 **(19)** (f) 1. ~~Title~~ Except as provided in subd. 2., title to land or to rights in land acquired under this subsection shall vest in the ~~local~~ governmental unit.

**SECTION 661m.** 23.09 (19) (f) 2. of the statutes is created to read:

23.09 **(19)** (f) 2. Land or rights in land acquired under this subsection by the Kickapoo reserve management board shall vest in the state.

**SECTION 661n.** 23.09 (19) (h) of the statutes is amended to read:

23.09 **(19)** (h) The department may not approve a grant under this subsection unless the urban green space is identified in any master plan that the ~~local~~ governmental unit may have.

**SECTION 661o.** 23.09 (19) (j) of the statutes is amended to read:

23.09 **(19)** (j) Any ~~local~~ governmental unit that acquires an area for gardening with a grant under this subsection may charge fees for use of the garden that are sufficient to recover the costs of maintaining the area. The ~~local~~ governmental unit may reduce or waive any fee charged based on the user's inability to pay.

**SECTION 661p.** 23.09 (19) (k) of the statutes is amended to read:

23.09 **(19)** (k) Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $750,000 in each fiscal year for urban green space under this subsection and for grants for urban green space under s. 23.096.

**SECTION 661q.** 23.09 (19) (L) of the statutes is created to read:

23.09 **(19)** (L) The department may not award a grant from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

**SECTION 661u.** 23.09 (20) (a) of the statutes is renumbered 23.09 (20) (am) and amended to read:

23.09 **(20)** (am) Any ~~city, village, town or county~~ governmental unit may apply for state aids for the acquisition and development of recreational lands and rights in lands. State aids under this subsection that are expended from the appropriation under s. 20.866 (2) (ta) may only be used for nature–based outdoor recreation. State aids received by a municipality shall be used for the development of its park system in accordance with priorities based on comprehensive plans submitted with the application and consistent with the outdoor recreation program under s. 23.30. ~~The~~ An application under this subsection shall be made in the manner the department prescribes.

**SECTION 661v.** 23.09 (20) (ab) of the statutes is created to read:

23.09 **(20)** (ab) In this subsection:

1. "Governmental unit" means a municipality or the Kickapoo reserve management board.

2. "Municipality" means a city, village, town or county.

3. "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

**SECTION 661w.** 23.09 (20) (b) of the statutes is amended to read:

23.09 **(20)** (b) State aid under this subsection is limited to no more than 50% of the ~~cost of acquiring~~ acquisition costs and ~~developing~~ the development costs of recreation lands and other outdoor recreation facilities. Costs associated with operation and maintenance of parks and other outdoor recreational facilities established under this subsection are not eligible for state aid. Administrative costs of acquiring lands or land rights are not included in the ~~"cost of land"~~ acquisition costs eligible for state aid under this subsection. Title to lands or rights in lands acquired by a municipality under this subsection shall vest in the ~~local unit of government~~ municipality, but such land shall not be converted to uses inconsistent with this subsection without prior approval of the state and proceeds from the sale or other disposal of such lands shall be used to promote the objectives of this subsection.

**SECTION 661x.** 23.09 (20) (d) of the statutes is amended to read:

23.09 **(20)** (d) Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $2,250,000 each fiscal year for local park aids under this subsection and for grants for this purpose under s. 23.096.

**SECTION 661y.** 23.09 (20) (e) of the statutes is created to read:

23.09 **(20)** (e) The department may not award state aid under this subsection from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

**SECTION 661z.** 23.09 (20m) of the statutes is created to read:

23.09 **(20m)** GRANTS FOR ACQUISITION OF DEVELOPMENT RIGHTS. (a) In this subsection:

1. "Governmental unit" means a city, village, town, county or the Kickapoo reserve management board.

2. "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

3. "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

(b) The department shall establish a program to award grants from the appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit conservation organizations to acquire development rights in land for nature–based outdoor recreation. The grants shall be limited to no more than 50% of the acquisition costs of the development rights.

**SECTION 662p.** 23.09 (22) of the statutes is created to read:

23.09 **(22)** INFORMATION TO BE INCLUDED IN GEOGRAPHIC INFORMATION SYSTEMS. The department shall include physical and chemical information about groundwater and soil in its geographic information systems.

**SECTION 663b.** 23.0915 (1) (intro.) of the statutes is amended to read:

23.0915 **(1)** DESIGNATED AMOUNTS. (intro.) The legislature intends that the department will expend the following designated amounts under the Warren Knowles–Gaylord Nelson stewardship program from the appropriation under s.

20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures beginning with fiscal year 1990–91 and ending in fiscal year 1999–2000, except as provided in ~~pars. (L), (Lg), (Lr), (m) and (n)~~ sub. (2c):

**SECTION 663c.** 23.0915 (1) (L) of the statutes is repealed.

**SECTION 663d.** 23.0915 (1) (Lg) of the statutes is amended to read:

23.0915 **(1)** (Lg) ~~Henry~~ Hank Aaron State ~~Park~~ Trail, a total of ~~$290,000, to be expended beginning in fiscal year 1997–98 and ending in fiscal year 1999–2000~~ $1,360,000.

**SECTION 663e.** 23.0915 (1) (Lr) of the statutes is amended to read:

23.0915 **(1)** (Lr) Flambeau Mine Trail, a total of $100,000, to be expended beginning in fiscal year 1997–98 ~~and ending in fiscal year 1999–2000~~.

**SECTION 663f.** 23.0915 (1) (m) of the statutes is amended to read:

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

**SECTION 663g.** 23.0915 (1) (n) of the statutes is amended to read:

23.0915 **(1)** (n) Crex Meadows Wildlife Area education center, a total of $250,000, to be expended beginning in fiscal year 1997–98 ~~and ending in fiscal year 1999–2000~~.

**SECTION 663h.** 23.0915 (2) (a) of the statutes is amended to read:

23.0915 **(2)** (a) Beginning with fiscal year 1990–91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the department may adjust the expenditure limit under the Warren Knowles–Gaylord Nelson stewardship program for that purpose by raising the expenditure limit, as it

may have been previously adjusted under this paragraph and par. (b), for the next fiscal year by the amount that equals the difference between the amount designated for that purpose and the amount expended for that purpose in that given fiscal year.

**SECTION 663i.** 23.0915 (2) (b) of the statutes is amended to read:

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

**SECTION 663j.** 23.0915 (2) (e) of the statutes is created to read:

23.0915 **(2)** (e) Paragraphs (a) to (d) do not apply after June 30, 2000.

**SECTION 663k.** 23.0915 (2c) of the statutes is created to read:

23.0915 **(2c)** EXPENDITURES AFTER JULY 1, 1999. (a) In this subsection:

1. "Commit for expenditure" means to encumber, set aside or otherwise commit or to expend without having previously encumbered or otherwise committed.

2. "Moneys available for expenditure" means moneys that have not been committed for expenditure.

(b) If the amount of moneys available for expenditure for a purpose under sub. (1) (a) to (n) on July 1, 2000, is greater than zero, the department may expend for that

purpose any portion of or all of the moneys available for expenditure in one or more subsequent fiscal years.

(c) If the amount of moneys available for expenditure for a purpose under sub. (1) (a) to (k) is not sufficient for a given project or activity and if the project or activity is uniquely valuable in conserving the natural resources of the state, the department may expend for that project or activity moneys that are designated for any of the purposes under sub. (1) (a) to (k) in one or more subsequent years.

**SECTION 663L.** 23.0915 (2j) (a) of the statutes is amended to read:

23.0915 **(2j)** (a) From the moneys appropriated under s. 20.866 (2) (tz), ~~before June 30, 2000,~~ the department shall expend $100,000 for the Flambeau Mine Trail and Rusk County visitor center.

**SECTION 663m.** 23.0915 (2m) (title) of the statutes is amended to read:

23.0915 **(2m)** (title) MONEYS FOR ~~HENRY~~ HANK AARON ~~STATE PARK~~ STATE TRAIL.

**SECTION 663n.** 23.0915 (2m) (a) of the statutes is amended to read:

23.0915 **(2m)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside ~~for the period of time specified in sub. (1) (L)~~ $400,000 to be used only for the development of ~~a state park to be located in the Menomonee valley in the city of Milwaukee and to be designated as~~ the ~~Henry~~ Hank Aaron State ~~Park~~ Trail.

**SECTION 663o.** 23.0915 (2m) (b) of the statutes is repealed.

**SECTION 663p.** 23.0915 (2m) (c) of the statutes is renumbered 23.0915 (2m) (g) and amended to read:

23.0915 **(2m)** (g) None of the moneys set aside under ~~par. (a)~~ this subsection may be expended for stadium parking or for any other purpose not directly related to the development of the ~~state park~~ Hank Aaron State Trail.

**SECTION 663q.** 23.0915 (2m) (e) of the statutes is amended to read:

23.0915 **(2m)** (e) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside ~~for the period of time specified in sub. (1) (Lg)~~ $290,000 for the ~~Henry~~ Hank Aaron State ~~Park~~ Trail ~~in the Henry Aaron State Park~~.

**SECTION 663r.** 23.0915 (2m) (f) of the statutes is created to read:

23.0915 **(2m)** (f) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside $670,000 for the Hank Aaron State Trail. For purposes of sub. (1) moneys expended under this paragraph shall be treated as follows:

1. As moneys expended for urban rivers, $400,000.

2. As moneys expended for stream bank protection, $200,000.

3. As moneys expended for urban green space, $70,000.

**SECTION 663rm.** 23.0915 (2p) of the statutes is created to read:

23.0915 **(2p)** UPPER WHITING PARK. From the appropriation under s. 20.866 (2) (tz), the department shall provide to the village of Whiting $38,000 in fiscal year 1999–2000 for the development of Upper Whiting Park. Notwithstanding s. 23.09 (20) (b), the 50% matching requirement under s. 23.09 (20) (b) does not apply to the state aid provided under this subsection. For purposes of sub. (1), moneys provided under this subsection shall be treated as moneys for local park aids.

**SECTION 663s.** 23.0915 (3) (a) of the statutes is amended to read:

23.0915 **(3)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside during fiscal year 1991–92 ~~for the period of time specified in sub. (1) (m)~~ $250,000 for a project to develop a vacant building to be used as an interpretative and administrative center for the Horicon ~~marsh~~ Marsh area. Expenditures under this paragraph shall be made in a manner that, for every $3

received by the department from private grants, gifts or bequests for the project, $1 will be expended from the moneys under this paragraph.

**SECTION 663t.** 23.0915 (3m) (a) of the statutes is amended to read:

23.0915 **(3m)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside during fiscal year 1997–98 ~~for the period of time specified in sub. (1) (n)~~ $250,000 for a project to construct and equip a wildlife education center for Crex Meadows Wildlife Area. Expenditures under this paragraph shall be made in a manner that, for every $3 received by the department from private grants, gifts or bequests for the project, $1 will be expended from the moneys under this paragraph.

**SECTION 663u.** 23.0917 of the statutes is created to read:

**23.0917 Warren Knowles–Gaylord Nelson stewardship 2000 program.** **(1)** DEFINITIONS. In this section:

(a) "Annual bonding authority" means the amount that may be obligated under a subprogram for a fiscal year.

(b) "Baraboo Hills" means the area that is within the boundaries of Baraboo Range National Natural Landmark.

(c) "Department land" means an area of land that is owned by the state, that is under the jurisdiction of the department and that is used for one of the purposes specified in s. 23.09 (2d).

(d) "Land" means land in fee simple, conservation easements, other easements in land and development rights in land.

(e) "Obligate" means to encumber or otherwise commit or to expend without having previously encumbered or otherwise committed.

(f) "Owner's acquisition price" means the amount equal to the price the owner paid for the land or if the owner acquired the land as a gift or devise, the amount equal to the appraised value of the land at the time it was transferred to the owner.

(g) "Remaining bonding authority" means the amount of moneys that has not been obligated.

**(2)** ESTABLISHMENT. (a) The department shall establish the following subprograms for conservation and recreational purposes under the Warren Knowles–Gaylord Nelson stewardship 2000 program:

1. A subprogram for land acquisition purposes.

2. A subprogram for property development and local assistance.

(b) No moneys may be obligated from the appropriation under s. 20.866 (2) (ta) before July 1, 2000.

**(3)** LAND ACQUISITION SUBPROGRAM. (a) Beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may obligate moneys under the subprogram for land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and grants for these purposes under s. 23.096.

(b) In obligating moneys under the subprogram for land acquisition, the department shall set aside in each fiscal year $3,000,000 that may be obligated only for state trails and the ice age trail and for grants for the state trails and the ice age trails under s. 23.096. The period of time during which the moneys shall be set aside in each fiscal year shall begin on the July 1 of the fiscal year and end on the June 30 of the same fiscal year.

(c) In obligating moneys under the subprogram for land acquisition, the department shall give priority to all of the following purposes and to awarding grants under s. 23.096 for all the following purposes:

1. Acquisition of land that preserves or enhances the state's water resources, including land in and for the Lower Wisconsin State Riverway; land abutting wild rivers designated under s. 30.26, wild lakes and land along the shores of the Great Lakes.

2. Acquisition of land for the stream bank protection program under s. 23.094.

3. Acquisition of land for habitat areas and fisheries under s. 23.092.

4. Acquisition of land for natural areas under ss. 23.27 and 23.29.

5. Acquisition of land for bluff protection under s. 30.24.

6. Acquisition of land in the middle Kettle Moraine.

7. Acquisition of land in the Baraboo Hills for conservation purposes.

(d) Except as provided in sub. (5), the department may not obligate under the subprogram for land acquisition more than $31,000,000 in each fiscal year.

(e) For purposes of this subsection, the department by rule shall define "wild lake".

**(4)** PROPERTY DEVELOPMENT AND LOCAL ASSISTANCE SUBPROGRAM. (a) Beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may obligate moneys under the subprogram for property development and local assistance. Moneys obligated under this subprogram may be only used for nature–based outdoor recreation.

(b) The purposes for which moneys may be obligated for local assistance under the subprogram for property development and local assistance are the following:

1. Grants for urban green space under ss. 23.09 (19) and 23.096.

2. Grants for local parks under ss. 23.09 (20) and 23.096.

3. Grants for acquisition of property development rights under ss. 23.09 (20m) and 23.096.

4. Grants for urban rivers under ss. 23.096 and 30.277.

(c) The purposes for which moneys may be obligated for property development under the subprogram for property development and local assistance are the following:

1. Property development of department lands.

2. Property development on conservation easements adjacent to department lands.

3. Grants under s. 23.098.

(d) In obligating moneys under the subprogram for property development and local assistance, all of the following shall apply:

1. The department may obligate not more than $9,400,000 in each fiscal year under the subprogram except as provided in sub. (5).

2. The department may obligate not more than $8,000,000 in each fiscal year for local assistance.

3. The department shall obligate at least $1,400,000 in each fiscal year for property development.

(e) Under the subprogram for property development and local assistance, the department shall give priority to funding for the establishment and development of a state park which provides access to Lake Michigan in the city of Milwaukee.

(f) For purposes of this subsection, the department by rule shall define "nature–based outdoor recreation".

**(5)** ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year the department obligates an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding authority for that subprogram for that given fiscal year, the department shall adjust

the annual bonding authority for that subprogram by raising the annual bonding authority, as it may have been previously adjusted under this paragraph and par. (b), for the next fiscal year by the amount that equals the difference between the amount authorized for that subprogram and the obligated amount for that subprogram in that given fiscal year.

(b) If for a given fiscal year the department obligates an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that is more than the annual bonding authority for that subprogram for that given fiscal year, the department shall adjust the annual bonding authority for that subprogram by lowering the annual bonding authority, as it may have been previously adjusted under this paragraph and par. (a), for the next fiscal year by an amount equal to the remainder calculated by subtracting the amount authorized for that subprogram from the obligated amount, as it may be affected under par. (c) or (d), for that subprogram in that given fiscal year.

(c) The department may not obligate for a fiscal year an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that exceeds the amount equal to the annual bonding authority for that subprogram as it may have been previously adjusted under pars. (a) and (b), except as provided in par. (d).

(d) For a given fiscal year, in addition to obligating the amount of the annual bonding authority for a subprogram under sub. (3) or (4), or the amount equal to the annual bonding authority for that subprogram, as adjusted under pars. (a) and (b), whichever amount is applicable, the department may also obligate for that subprogram up to 100% of the annual bonding authority for that subprogram for that

given fiscal year for a project or activity if the natural resources board determines that all of the following conditions apply:

1. That moneys appropriated for that subprogram to the department under s. 20.370 and the moneys appropriated for that subprogram under s. 20.866 (2) (ta), (tp) to (tw), (ty) and (tz) do not provide sufficient funding for the project or activity.

2. That any land involved in the project or activity covers a large area or the land is uniquely valuable in conserving the natural resources of the state.

3. That delaying or deferring all or part of the cost to a subsequent fiscal year is not reasonably possible.

**(6)** REVIEW BY JOINT COMMITTEE ON FINANCE. The department may not obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity more than $250,000 unless it first notifies the joint committee on finance in writing of the proposal. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's notification that the committee has scheduled a meeting to review the proposal, the department may obligate the moneys. If, within 14 working days after the date of the notification by the department, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposal, the department may obligate the moneys only upon approval of the committee.

**(7)** CALCULATION OF GRANT AMOUNTS; APPRAISALS. (a) Except as provided in pars. (b) and (c), for purposes of calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and (20m), 23.092 (4), 23.094 (3g), 23.096, 30.24 (4) and 30.277 from the appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the sum of the land's current fair market value and other acquisition costs, as determined by rule by the department.

(b) For land that has been owned by the current owner for less than one year, the acquisition costs of the land shall equal the owner's acquisition price.

(c) For land that has been owned by the current owner for one year or more but for less than 3 years, the acquisition costs of the land shall equal the sum of the current owner's acquisition price and the annual adjustment increase.

(d) For purposes of par. (c), the annual adjustment increase shall be calculated by multiplying the owner's acquisition price by 7.5% and by then multiplying that product by one of the following numbers:

1. By one if the land has been owned by the current owner for one year or more but for less than 2 years.

2. By 2 if the land has been owned by the current owner for 2 years or more but for less than 3 years.

(e) For any land for which moneys are proposed to be obligated from the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to a governmental unit under s. 23.09 (19), (20) or (20m) or 30.277 or to a nonprofit conservation organization under s. 23.096, the governmental unit or nonprofit conservation organization shall submit to the department two appraisals if the department estimates that the fair market value of the land exceeds $200,000.

**(8)** PROHIBITIONS AND LIMITATIONS. (a) The department may not obligate moneys from the appropriation under s. 20.866 (2) (ta) for the acquisition of land for golf courses or for the development of golf courses.

(b) The department may not obligate moneys from the appropriation under s. 20.866 (2) (ta) for the acquisition or development of land by a county or other local governmental unit or political subdivision if the county, local governmental unit or political subdivision acquires the land involved by condemnation.

(c) The department may not obligate moneys from the appropriation under s. 20.866 (2) (ta) for the acquisition by a city, village or town of land that is outside the boundaries of the city, village or town unless the city, village or town acquiring the land and the city, village or town in which the land is located approve the acquisition.

**(9)** RULES ON LAND USE. The department shall promulgate rules to provide incentives under the Warren Knowles–Gaylord Nelson stewardship 2000 program to local units of government that submit applications for funding from the appropriation under s. 20.866 (2) (ta) for projects or activities that are consistent with local or regional land use plans and with local zoning ordinances.

**(10)** REPORT ON LAND PRICES. Before January 1, 2005, the department shall submit a report to the joint committee on finance and the governor that includes all of the following:

(a) Information on how changes in the prices for land, between July 1, 2000, and the date that the report is submitted, have affected the department's ability to protect land for conservation purposes.

(b) A range of options to maintain or restore the financial ability to purchase land under the Warren Knowles–Gaylord Nelson stewardship 2000 program.

**(11)** REQUIREMENTS FOR SIGNS. For any land which is acquired in whole or in part with moneys obligated from the appropriations under s. 20.866 (2) (ta) or (tz) or both, the department shall provide signs on the land stating that the land has been acquired with stewardship funds. The signs shall be clearly visible to the public at access points to the land or along highways or other transportation routes that provide access to the land. If the land is open to the public, the sign shall so state and shall state the purposes for which the land may be used by the public.

**(12)** EXPENDITURES AFTER JUNE 30, 2010. If the remaining bonding authority for a subprogram under sub. (3) or (4) on June 30, 2010, is an amount greater than zero, the department may expend any portion of this remaining bonding authority for that subprogram in one or more subsequent fiscal years.

**SECTION 664.** 23.0918 of the statutes is created to read:

**23.0918 Natural resources land endowment fund. (1)** In this section, "land" includes any buildings, facilities or other structures located on the land.

**(2)** Unless the natural resources board determines otherwise in a specific case, only the income from the gifts, grants or bequests in the fund is available for expenditure. The natural resources board may authorize expenditures only for preserving, developing, managing or maintaining land under the jurisdiction of the department that is used for any of the purposes specified in s. 23.09 (2) (d). In this subsection, unless otherwise provided in a gift, grant or bequest, principal and income are determined as provided under s. 701.20 (3).

**SECTION 664b.** 23.092 (4) of the statutes is amended to read:

23.092 **(4)** The department may share the costs of implementing land management practices with landowners, or with nonprofit organizations that are qualified to enhance wildlife–based recreation if these organizations have the landowner's permission to implement the practices. The department may share the costs of acquiring easements for habitat areas with landowners or with these nonprofit organizations. ~~This subsection does not apply before July 1, 1990~~ <u>If the funding for cost–sharing under this subsection will be expended from the appropriation under s. 20.866 (2) (ta), the amount expended for the cost–sharing may not exceed 50% of the cost of the management practices or of the acquisition costs for the easement</u>.

**SECTION 664d.** 23.092 (5) (a) of the statutes is amended to read:

23.092 **(5)** (a) The department shall determine the value of land or an easement donated to the department that is within a habitat area and is dedicated for purposes of habitat protection, enhancement or restoration. For an easement, the valuation shall be based on the extent to which the fair market value of the land is diminished by the transfer. ~~Beginning on July 1, 1990, and except~~ Except as provided in par. (b), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for habitat protection, enhancement or restoration activities for the same habitat area in which any donation was made on or after August 9, 1989. The department shall determine how the moneys being released are to be allocated from these appropriations.

**SECTION 664f.** 23.092 (5) (b) of the statutes is renumbered 23.092 (5) (b) 1. and amended to read:

23.092 **(5)** (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will exceed the expenditure limit under sub. (6) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (6), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (6), as adjusted under s. 23.0915 (2), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released. This subdivision does not apply after June 30, 2000.

**SECTION 664h.** 23.092 (5) (b) 2. of the statutes is created to read:

23.092 **(5)** (b) 2. If the moneys allocated under par. (a) for release from the appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed the annual bonding authority for the subprogram under s. 23.0917 (3) for a given fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as adjusted under s. 23.0917 (5), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

**SECTION 664i.** 23.092 (6) of the statutes is amended to read:

23.092 **(6)** Except as provided in s. 23.0915 (2), the department may not expend <u>from the appropriation under s. 20.866 (2) (tz)</u> more than $1,500,000 under this section for fisheries, for habitat areas and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount the department may not expend more than $75,000 for fisheries in each fiscal year.

**SECTION 664j.** 23.092 (6) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

23.092 **(6)** Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,500,000 under this section for fisheries, for habitat areas and for grants for this purpose under s. 23.096 in each fiscal year.

**SECTION 665k.** 23.094 (3g) of the statutes is amended to read:

23.094 **(3g)** ACQUISITION BY POLITICAL SUBDIVISION. A political subdivision may acquire by gift, devise or purchase land adjacent to a stream identified as a priority stream under sub. (2) or acquire by gift, devise or purchase a permanent stream bank easement from the owner of the land. The department may make grants from the appropriation under s. 20.866 (2) (tz) to political subdivisions to purchase these lands and easements. The department may make grants under s. 23.096 from the appropriation under s. 20.866 (2) (ta) or (tz) or both. Whenever possible, the land or easement shall include the land within at least 66 feet from either side of the stream.

**SECTION 665L.** 23.094 (3m) of the statutes is created to read:

23.094 **(3m)** LIMITS. A grant under sub (3g) may not exceed 50% of the acquisition costs for the land or the easement.

**SECTION 665m.** 23.094 (4) (a) of the statutes is amended to read:

23.094 **(4)** (a) The department shall determine the value of land or an easement donated to the department for purposes of this section and for stream bank protection under s. 23.096. For an easement, the valuation shall be based on the extent to which the fair market value of the land is diminished by the transfer. ~~Beginning July 1, 1990, and except~~ Except as provided in par. (b), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used to acquire easements and land under this section and s. 23.096 for the same stream for which any donation was made on or after August 9, 1989. The department shall determine how the moneys being released are to be allocated from these appropriations.

**SECTION 665n.** 23.094 (4) (b) of the statutes is renumbered 23.094 (4) (b) 1. and amended to read:

23.094 **(4)** (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will exceed the expenditure limit under sub. (8) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (8), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (8), as adjusted under s. 23.0915 (2), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released. This subdivision does not apply after June 30, 2000.

**SECTION 665o.** 23.094 (4) (b) 2. of the statutes is created to read:

23.094 **(4)** (b) 2. If the moneys allocated under par. (a) for release from the appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed the annual bonding authority for the subprogram under s. 23.0917 (3) for a given fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as adjusted under s. 23.0917 (5), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

**SECTION 665p.** 23.094 (8) of the statutes is amended to read:

23.094 **(8)** APPROPRIATION. ~~The costs of acquiring easements and land under this section or s. 23.096 shall be paid from the appropriation under s. 20.866 (2) (tz).~~ Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,000,000 for fisheries, for the acquisition of land and easements by the department under this section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount, the department may not expend more than $300,000 in each fiscal year for grants under sub. (3g) to cities, villages, towns and counties.

**SECTION 665q.** 23.094 (8) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

23.094 **(8)** APPROPRIATION. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,000,000 for fisheries, for the acquisition of land and easements by the department under this section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in each fiscal year.

**SECTION 665r.** 23.0955 (1) of the statutes is amended to read:

23.0955 **(1)** In this section ~~and s. 23.096~~, "nonprofit conservation organization" means a nonprofit corporation, a charitable trust or other nonprofit association whose purposes include the acquisition of property for conservation purposes and that is described in section 501 (c) (3) of the internal revenue code and is exempt from federal income tax under section 501 (a) of the internal revenue code.

**SECTION 665rm.** 23.0957 of the statutes is created to read:

**23.0957 Annual grants to a nonstock, nonprofit corporation; urban land conservation. (1)** In this section:

(a) "Local governmental unit" has the meaning given in s. 23.09 (19) (a) 2.

(b) "Interested group" means a community group, nonprofit organization or local governmental unit that is interested in acquiring urban land for urban forestry protection, water resource management, conservation, recreation or other urban open space purposes.

**(2)** The department shall provide one grant of $75,000 in each fiscal year, beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that meets all of the following requirements:

(a) The corporation is organized in this state.

(b) The corporation is described under section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation under section 501 (a) of the Internal Revenue Code.

(c) The corporation has a board of directors or an advisory council or both with members who represent one or more urban or urbanizing areas and who collectively have an interest or expertise in all of the following:

1. Nonprofit organizations.
2. Business.
3. Social services.
4. Land development.
5. Architecture.
6. Landscape architecture.
7. Conservation.

(d) The corporation contributes $25,000 in funds annually to be used with the grant under this subsection.

**(3)** A corporation receiving a grant under sub. (2) may use the grant for urban forest protection, water resource enhancement or other urban open space objectives and shall do all of the following with the grant:

(a) Provide to interested groups technical assistance, especially in the areas of urban open space real estate transactions, reclaiming and restoring the natural values of urban parks, urban forests and open space areas, designing and constructing amenities in open space areas, cultivating citizen participation in acquiring, developing and maintaining open space areas and securing public financing for open space areas.

(b) Conduct conferences on the topics listed in par. (a).

(c) Assist community groups, nonprofit organizations and local governmental units in acquiring urban property for open space purposes and in restoring urban property acquired for conservation, recreation and other open space purposes.

(d) For each fiscal year, prepare a report detailing the activities for which a grant under sub. (2) is expended. Copies of the report shall be submitted to the department and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly or the president of the senate.

**(4)** A corporation receiving a grant under sub. (2) may acquire urban property for conservation, recreation and other open space purposes.

**SECTION 665s.** 23.096 (1) of the statutes is renumbered 23.096 (1) (intro.) and amended to read:

23.096 **(1)** (intro.) In this section~~, "property"~~:

(b) "Property" means land or an interest in land.

**SECTION 665t.** 23.096 (1) (ag) of the statutes is created to read:

23.096 **(1)** (ag) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

**SECTION 665u.** 23.096 (2) of the statutes is renumbered 23.096 (2) (a) and amended to read:

23.096 **(2)** (a) The department may award grants from the appropriation under s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property for all of the purposes described in ss. 23.09 (2) (d) 1. to 7., 9., 11., 12. and 15., (19) ~~and~~, (20) and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24 and 30.277 ~~(2) (a)~~.

**SECTION 665v.** 23.096 (2) (b) of the statutes is created to read:

23.096 **(2)** (b) A grant awarded under this section may not exceed 50% of the acquisition costs of the property.

**SECTION 665w.** 23.098 (1) (c) of the statutes is created to read:

23.098 **(1)** (c) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

**SECTION 665x.** 23.098 (2) of the statutes is amended to read:

23.098 **(2)** The department shall establish a program to ~~expend~~ make grants from the ~~appropriation~~ appropriations under s. 20.866 (2) (ta) and (tz) ~~moneys for grants~~ to friends groups and nonprofit conservation organizations for projects for property development activities on department properties. The department may not encumber more than ~~$200,000~~ $250,000 in each fiscal year for these grants.

**SECTION 665y.** 23.098 (4) (am) of the statutes is created to read:

23.098 **(4)** (am) In awarding grants under this section for eligible projects, the department shall establish a system under which the grants are offered to eligible friends groups before being offered to eligible nonprofit conservation organizations.

**SECTION 665z.** 23.098 (5) of the statutes is amended to read:

23.098 **(5)** Each friends group and nonprofit conservation organization receiving a grant under this section shall provide matching funds that are equal to at least 50% of the ~~estimated~~ cost of the project for which a grant is being provided.

**SECTION 671b.** 23.175 (3) (b) (intro.) of the statutes is amended to read:

23.175 **(3)** (b) (intro.) ~~Beginning July 1, 1990, expend~~ Expend an amount from the appropriation under s. 20.866 (2) (ta) or (tz) or both that equals any of the following:

**SECTION 671d.** 23.175 (3m) of the statutes is created to read:

23.175 **(3m)** ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b), the department shall determine how the moneys being expended are to be allocated from the appropriations under s. 20.866 (2) (ta) and (tz). The department may not allocate or expend any moneys from the appropriation under s. 20.866 (2) (ta) before July 1, 2000.

**SECTION 671e.** 23.175 (4) of the statutes is amended to read:

23.175 **(4)** LIMITS ON SPENDING. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,000,000 under this section for trails and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount, the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $500,000 under sub. (3) (b) in each fiscal year.

**SECTION 671g.** 23.175 (4) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

23.175 **(4)** LIMIT ON SPENDING. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more

than $1,000,000 under this section for trails and for grants for this purpose under s. 23.096 in each fiscal year.

**SECTION 671h.** 23.192 of the statutes is created to read:

**23.192 Mead Wildlife Area public interpretive center.** From the appropriation under s. 20.866 (2) (tr), the department shall provide not more than $112,000 for a public interpretive center at the Mead Wildlife Area in Portage, Marathon and Wood counties. Expenditures under this section shall be made in a manner that, for every $2 received by the department from private grants, gifts or bequests for the project, $3 will be expended from the moneys under this section.

**SECTION 671m.** 23.197 of the statutes is created to read:

**23.197 Warren Knowles–Gaylord Nelson stewardship programs; specific projects or activities. (1)** ROOT RIVER; MULTIPURPOSE PATHWAY. (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding to the city of Racine for a multipurpose pathway along the Root River. The amount provided by the department may not exceed the amount that equals the matching contribution for the pathway made by the city of Racine or $500,000, whichever is less.

(b) The department shall determine how the moneys being provided under par. (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

**(2)** ROCK RIVER; RIVER WALL. (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding to the city of Fort Atkinson for the restoration of a river wall along the Rock River. The amount provided by the department may not exceed the amount that equals the matching contribution made for the river wall by the city of Fort Atkinson or $96,500, whichever is less. The requirements for matching contributions under s. 30.277 (5) shall apply.

(b) The department shall determine how the moneys being provided under par. (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for urban river grants. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for property development and local assistance.

**(3)** KEYES LAKE; RECREATIONAL AREA. (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide the amount necessary for the development of a recreational area on Keyes Lake in Florence County, but the amount may not exceed $100,000.

(b) The department shall determine how the moneys being provided under par. (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for any of the purposes specified under s 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

**(4)** GRANT FOR LAND ACQUISITION AND HABITAT RESTORATION. (a) In this subsection:

1. "Nonprofit organization" means a nonprofit corporation, a charitable trust or other nonprofit association that is described in section 501 (c) (3) of the Internal Revenue Code and is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

2. "Land" has the meaning given in s. 23.0917 (1) (d).

(b) From the appropriation under s. 20.866 (2) (ta), the department may award a single grant of $20,000 to an organization that is not a nonprofit organization but that has entered into an agreement with a nonprofit organization in order to apply for the grant. The grant may be used for land acquisition for conservation or recreation purposes or for habitat restoration or both. For purposes of s. 23.0917, moneys obligated for this grant shall be treated as moneys obligated under the subprogram for land acquisition.

(c) In order to receive the grant under this section, the nonprofit organization and the other organization who are parties to the agreement specified under par. (b) shall enter into a contract with the department that contains conditions imposed by the department on the use of the grant, on any land acquired with moneys from the grant and on any transfer to a 3rd party of any such acquired land.

(d) Title to the land acquired with moneys from the grant under this section shall vest in the nonprofit organization. If the nonprofit organization or the other organization violates any essential provision of the contract entered into under par. (c), title to the land shall vest in the state.

**SECTION 671n.** 23.22 of the statutes is created to read:

**23.22 MacKenzie environmental center staffing.** The department shall maintain a staffing level for the performance of facilities repair work functions at the MacKenzie environmental center in Poynette that is at least 1.0 position greater than the level that existed on April 29, 1999.

**SECTION 671p.** 23.27 (4) of the statutes is amended to read:

23.27 **(4)** NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the intent of the legislature to continue natural areas land acquisition activities from moneys available from the ~~appropriation~~ appropriations under ss. 20.370 (7) (fa) and 20.866 (2) (ta), (ts) and (tz). This commitment is separate from and in addition to the commitment to acquire natural areas under the Wisconsin natural areas heritage program. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,500,000 in each fiscal year for natural areas land acquisition activities under this subsection and for grants for this purpose under s. 23.096.

**SECTION 672d.** 23.27 (5) of the statutes is amended to read:

23.27 **(5)** NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate additional natural areas land acquisition activities with moneys available from the appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the Wisconsin natural areas heritage program. This commitment is separate from and in addition to the continuing commitment under sub. (4). Moneys available from the appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the Wisconsin natural areas heritage program may not be used to acquire land through condemnation. The department may not acquire land under this subsection unless the land is suitable for dedication under the Wisconsin natural areas heritage

program and upon purchase or as soon after purchase as practicable the department shall take all necessary action to dedicate the land under the Wisconsin natural areas heritage program. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $500,000 in each fiscal year for natural areas land acquisition activities under this subsection and for grants for this purpose under s. 23.096.

**SECTION 672f.** 23.29 (2) of the statutes is amended to read:

23.29 **(2)** CONTRIBUTIONS; STATE MATCH. The department may accept contributions and gifts for the Wisconsin natural areas heritage program. The department shall convert donations of land which it determines, with the advice of the council, are not appropriate for the Wisconsin natural areas heritage program into cash. The department shall convert other noncash contributions into cash. These moneys shall be deposited in the general fund and credited to the appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or ~~both~~ from any combination of these appropriations to be used for natural areas land acquisition activities under s. 23.27 (5). The department shall determine how the moneys being released are to be allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.~~

**SECTION 672g.** 23.29 (3) of the statutes is amended to read:

23.29 **(3)** LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall determine the value of land accepted for dedication under the Wisconsin natural areas heritage program. If the land dedication involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation shall be based on the fair market value of the land prior

to the transfer. If the land dedication involves the transfer of a partial interest in land to the state, the valuation shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the land dedication involves a sale of land to the department at less than the fair market value, the valuation of the dedication shall be based on the difference between the purchase price and the fair market value. An amount equal to the value of land accepted for dedication under the Wisconsin natural areas heritage program shall be released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or ~~both~~ from any combination of these appropriations to be used for natural areas land acquisition activities under s. 23.27 (5). This subsection does not apply to dedications of land under the ownership of the state. The department shall determine how the moneys being released are to be allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.~~

**SECTION 672j.** 23.293 (4) of the statutes is amended to read:

23.293 **(4)** CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept contributions and gifts for the ice age trail program. The department may convert gifts of land which it determines are not appropriate for the ice age trail program into cash. The department may convert other noncash contributions and gifts into cash. These moneys shall be deposited in the general fund and credited to the appropriation under s. 20.370 (7) (gg). An amount equal to the value of all contributions and gifts shall be released from the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or ~~both~~ from any combination of these appropriations to be used for land acquisition and development activities under s. 23.17. The department shall determine how the moneys being released are to be allocated from these

appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.~~

**SECTION 672k.** 23.293 (5) of the statutes is amended to read:

23.293 **(5)** LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall determine the value of land accepted for dedication under the ice age trail program. If the land dedication involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation of the land shall be based on the fair market value of the land before the transfer. If the land dedication involves the transfer of a partial interest in land to the state, the valuation of the land shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the land dedication involves a sale of land to the department at less than the fair market value, the valuation of the land shall be based on the difference between the purchase price and the fair market value. An amount equal to the valuation of the land accepted for dedication under the ice age trail program shall be released from the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or ~~both~~ from any combination of these appropriations to be used for ice age trail acquisition activities under s. 23.17. The department shall determine how the moneys being released are to be allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.~~ This subsection does not apply to dedications of land under the ownership of the state.

**SECTION 672m.** 23.295 of the statutes is created to read:

**23.295 Ice age trail area grants. (1)** In this section:

(a) "Ice age trail area" means the trail designated under s. 23.17 (2).

(b) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of the political subdivision or special purpose district or a combination or subunit of any of the foregoing.

**(2)** The department shall provide one grant of $75,000 in each fiscal year, beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that meets all of the following requirements:

(a) The corporation is organized in this state.

(b) The corporation is described under section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation under section 501 (a) of the Internal Revenue Code.

(c) The corporation has a board of directors or an advisory council or both whose members represent different geographic areas of the ice age trail area, and at least one–third of whom are current or former ice age trail volunteers.

(d) The board of directors or an advisory council of the corporation or both collectively have an interest or expertise in all of the following:

1. Recruiting and training volunteers.

2. Land conservation.

3. Trails and outdoor recreation.

4. Tourism.

5. This state's glacial geology.

6. This state's cultural history.

(e) The corporation contributes $25,000 in funds annually to be used with the grant under this section.

**(3)** A corporation receiving a grant under sub. (2) may use the grant for activities related to the development, maintenance, protection and promotion of the ice age trail area and shall do all of the following with the grant:

(a) Support the work of volunteers who develop, maintain and promote the ice age trail area.

(b) Build partnerships for the ice age trail area with local governmental units and nonprofit organizations.

(c) Promote the protection of a corridor for the ice age trail area by providing information about acquiring land, or an interest in land, in that corridor.

(d) Strengthen community support for the ice age trail area by recruiting and training volunteers and by coordinating the activities of interest groups.

(e) Promote tourism in the ice age trail area.

(f) For each fiscal year, prepare a report detailing the activities for which a grant under sub. (2) is expended. Copies of the report shall be submitted to the department and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly or the president of the senate.

**SECTION 673.** 23.322 of the statutes is created to read:

**23.322 Fees for computer accessible water resource management information.** The department may charge a fee for providing any information that that it maintains in a format that may be accessed by computer concerning the waters of this state, including maps and other water resource management information.

**SECTION 674.** 23.33 (1) (g) of the statutes is created to read:

23.33 **(1)** (g) "Expedited service" means the process under which a person is able to renew an all–terrain vehicle registration certificate in person and with only one appearance at the site where certificates are renewed.

**SECTION 675.** 23.33 (2) (i) of the statutes is created to read:

23.33 **(2)** (i) *Registration; appointment of agents.* For the issuance of all–terrain vehicle registration certificates, the department may do any of the following:

1. Directly issue the certificates.

2. Appoint, as an agent of the department, the clerk of one or more counties to issue the certificates.

3. Appoint persons who are not employes of the department to issue the certificates as agents of the department.

**SECTION 676.** 23.33 (2) (j) of the statutes is created to read:

23.33 **(2)** (j) *Duplicates.* For purposes of pars. (i) to (o), the issuance of a duplicate of an all–terrain vehicle registration certificate shall be considered the same as the issuance of an original certificate.

**SECTION 677.** 23.33 (2) (k) of the statutes is created to read:

23.33 **(2)** (k) *Registration; agent activities.* 1. The clerk of any county appointed under par. (i) 2. or (m) may accept the appointment.

2. The department may promulgate rules regulating the activities of persons appointed under pars. (i) and (m).

**SECTION 678.** 23.33 (2) (L) of the statutes is created to read:

23.33 **(2)** (L) *Registration; issuing fees.* An agent appointed under par. (i) 2. or 3. shall collect an issuing fee of $3 for each all–terrain vehicle registration certificate

that the agent issues. The agent shall remit to the department $2 of each issuing fee collected.

**SECTION 679.** 23.33 (2) (m) of the statutes is created to read:

23.33 **(2)** (m) *Renewals; agents.* For the renewal of all–terrain vehicle registration certificates for public use or the renewal of commercial all–terrain vehicle registration certificates, the department may renew the certificates directly or may appoint agents in the manner specified in par. (i) 2. or 3. The department may establish an expedited service to be provided by the department and these agents to renew these types of all–terrain vehicle registration certificates.

**SECTION 680.** 23.33 (2) (n) of the statutes is created to read:

23.33 **(2)** (n) *Renewals; fees.* In addition to the renewal fee under par. (c), (d) or (dm), the department may authorize that a supplemental renewal fee of $3 be collected for the renewal of all–terrain vehicle registration certificates that are renewed in any of the following manners:

1. By agents appointed under par. (m).

2. By the department using the expedited service.

**SECTION 681.** 23.33 (2) (o) of the statutes is created to read:

23.33 **(2)** (o) *Renewals; remittal of fees.* An agent appointed under par. (m) shall remit to the department $2 of each $3 fee collected under par. (n). Any fees remitted to or collected by the department under par. (L) or (n) shall be credited to the appropriation account under s. 20.370 (9) (hu).

**SECTION 682.** 23.33 (5) (d) of the statutes is amended to read:

23.33 **(5)** (d) *Safety certification program established.* The department shall establish or supervise the establishment of ~~programs~~ a program of instruction on all–terrain vehicle laws, including the intoxicated operation of an all–terrain vehicle

law, regulations, safety and related subjects. The department ~~may charge or authorize~~ shall establish by rule an instruction fee for this program. An instructor conducting the program of instruction under this paragraph shall collect the fee from each person who receives instruction. The department may determine the portion of this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred by the instructor in conducting the program. The instructor shall remit the remainder of the fee or, if nothing is retained, the entire fee to the department.

**SECTION 684g.** 23.43 of the statutes is created to read:

**23.43 Watershed management center.** From the appropriation under s. 20.370 (4) (aq), the department shall annually provide to the board of regents of the University of Wisconsin System $150,000 to establish and operate the watershed management center under s. 36.25 (29g).

**SECTION 684m.** 23.47 of the statutes is created to read:

**23.47 Payments for department of tourism programs and activities.** The department of natural resources may not expend any moneys appropriated to the department of natural resources under s. 20.370 to pay, in whole or in part, for a program operated, or an activity conducted, by the department of tourism.

**SECTION 685.** 23.50 (1) of the statutes is amended to read:

23.50 **(1)** The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for

violations of ss. 77.09, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch. 77, this chapter and chs. 26 to 31 and of ch. 350, and any administrative rules promulgated thereunder, violations specified under s. 285.86, violations of rules of the Kickapoo reserve management board under s. 41.41 (7) (k) or violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

**SECTION 686.** 23.51 (6) of the statutes is amended to read:

23.51 **(6)** "Penalty assessment" means the penalty assessment imposed by s. ~~165.87~~ 757.05.

**SECTION 687.** 23.65 (1) of the statutes is amended to read:

23.65 **(1)** When it appears to the district attorney that a violation of s. 134.60, 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative rule promulgated pursuant thereto, or a violation specified under s. 285.86 has been committed the district attorney may proceed by complaint and summons.

**SECTION 688.** 23.65 (3) of the statutes is amended to read:

23.65 **(3)** If a district attorney refuses or is unavailable to issue a complaint, a circuit judge, after conducting a hearing, may permit the filing of a complaint if he or she finds there is probable cause to believe that the person charged has committed a violation of s. 287.07, 287.08 or 287.81, this chapter or ch. 26, 27, 28, 29, 30, 31 or 350 or a violation specified under s. 285.86. The district attorney shall be informed of the hearing and may attend.

**SECTION 689.** 24.04 (2) of the statutes is amended to read:

24.04 **(2)** DISBURSEMENTS. All expenses necessarily incurred in caring for and selling public lands shall be deducted from the gross receipts of the fund to which the proceeds of the sale of the land will be added. Expenses necessarily incurred in caring for public lands may include expenses for reforestation, erosion and insect control, submerged log monitoring, surveys, appraisals, soil surveys and soil mapping activities and other land management practices that serve to protect or enhance the interests of the beneficiaries of the trust funds.

**SECTION 690.** 24.63 (4) of the statutes is amended to read:

24.63 **(4)** REPAYMENT BEFORE DUE DATE PERMITTED. Any borrower after March 15 and prior to August 1 of any year may repay one or more instalments of a state trust fund loan in advance of the due date, and all interest upon such advance payment shall thereupon terminate. The board may charge a borrower who repays one or more instalments of a loan a fee to cover any administrative costs incurred by the board in originating and servicing the loan.

**SECTION 691.** 24.64 of the statutes is created to read:

**24.64 Reimbursements for certain administrative services.** The board shall reimburse the department of administration, from the appropriation account under s. 20.507 (1) (h), for the costs of administrative services provided by the department of administration and other state agencies to the board.

**SECTION 694b.** 24.78 of the statutes is amended to read:

**24.78 Distribution of the common school fund income.** Under article X, section 5, of the constitution the common school fund income shall be distributed to the school districts among the several towns, villages and cities of the state for the support of common schools therein, as provided in ~~ss. 44.72 (2) (a) and~~ s. 43.70.

**SECTION 694c.** 25.156 (2) of the statutes is amended to read:

25.156 **(2)** The investment board shall employ an executive director, who shall serve outside the classified service. The executive director shall be qualified by training and prior experience to manage, administer and direct the investment of funds. The investment board shall fix the compensation of the executive director~~, and may award bonus compensation as authorized under sub. (6)~~.

**SECTION 694g.** 25.156 (6) of the statutes is repealed.

**SECTION 694n.** 25.156 (7) of the statutes is repealed.

**SECTION 694r.** 25.16 (7) of the statutes is amended to read:

25.16 **(7)** The executive director shall fix the compensation of all employes appointed by the executive director, subject to restrictions set forth in the compensation plan under s. 230.12 or any applicable collective bargaining agreement in the case of employes in the classified service~~, but the investment board may provide for bonus compensation to employes in the unclassified service as authorized under s. 25.156 (6)~~.

**SECTION 694w.** 25.165 (1) of the statutes is amended to read:

25.165 **(1)** There is created in the investment board an internal audit subunit, under the supervision of the internal auditor. The internal auditor shall report directly to the board and, subject to authorization under s. 16.505, shall appoint all employes necessary to carry out the duties of the internal auditor. The internal auditor shall appoint all employes outside the classified service, except blue collar and clerical employes. The internal auditor shall fix the compensation of all employes appointed by the internal auditor, subject to restrictions set forth in the compensation plan under s. 230.12 or any applicable collective bargaining agreement in the case of employes in the classified service~~, but the investment board~~

~~may provide for bonus compensation to employes in the unclassified service as authorized under s. 25.156 (6)~~.

**SECTION 697d.** 25.17 (1) (gf) of the statutes is created to read:

25.17 **(1)** (gf) Health insurance risk–sharing plan fund (s. 25.55);

**SECTION 697m.** 25.17 (1) (i) of the statutes is amended to read:

25.17 **(1)** (i) ~~Information technology investment~~ VendorNet fund (s. 25.61);

**SECTION 698.** 25.17 (1) (ka) of the statutes is created to read:

25.17 **(1)** (ka) Natural resources land endowment fund (s. 25.293);

**SECTION 698m.** 25.17 (1) (tc) of the statutes is created to read:

25.17 **(1)** (tc) Tobacco control fund (s. 25.66);

**SECTION 701.** 25.18 (2) (e) of the statutes is amended to read:

25.18 **(2)** (e) Contract with and delegate to investment advisers the management and control over assets from any fund or trust delivered to such investment advisers for investment in real estate, mortgages, equities, debt of foreign corporations and debt of foreign governments, and pay such advisers fees from the current income of the fund or trust being invested. No more than ~~15%~~ 20% of the total assets of the fixed retirement investment trust or ~~15%~~ 20% of the total assets of the variable retirement investment trust may be delivered to investment advisers. The board shall set performance standards for such investment advisers, monitor such investments to determine if performance standards are being met and if an investment adviser does not consistently meet the performance standards then terminate the contract with such investment adviser.

**SECTION 701m.** 25.186 of the statutes is created to read:

**25.186 Broker–dealers located in this state. (1)** In this section:

(a) "Broker–dealer" has the meaning given in s. 551.02 (3).

(b) "Securities trading brokerage commission" means any commission or fee paid on or for a brokered security transaction, a purchase of a security or any other kind of trade of a security.

(c) "Security" has the meaning given in s. 551.02 (13).

**(2)** (a) Of the total funds that are expended by the board for securities trading brokerage commissions in any fiscal year, the board shall pay at least 5% of the total funds in securities trading brokerage commissions to broker–dealers that are licensed under s. 551.31, that are headquartered in this state and whose principal business operations are located in this state.

(b) For the purpose of satisfying the requirement under par. (a), the board may not include any securities trading brokerage commissions paid to minority financial advisers and minority investment firms under s. 25.185.

**(3)** Annually, no later than September 30, the board shall submit a report to the department of administration documenting the amount of moneys expended in the preceding fiscal year by the board for securities trading brokerage commissions and the amount of moneys paid in the preceding fiscal year for securities trading brokerage commissions to broker–dealers under sub. (2) (a).

**SECTION 702.** 25.29 (1) (a) of the statutes is amended to read:

25.29 **(1)** (a) Except as provided in ~~s.~~ ss. 25.293 and 25.295, all moneys accruing to the state for or in behalf of the department under chs. 26, 27, 28, 29 and 350, subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58 ~~and~~, 71.10 (5) and 71.30 (10), including grants received from the federal government or any of its agencies except as otherwise provided by law.

**SECTION 703.** 25.293 of the statutes is created to read:

**25.293 Natural resources land endowment fund.** There is established a separate nonlapsible trust fund designated as the natural resources land endowment fund, to consist of:

**(1)** All gifts, grants or bequests made to the natural resources land endowment fund. The department of natural resources may convert any noncash gift, grant or bequest into cash for deposit into the fund.

**(2)** All interest and other income generated from these gifts, grants and bequests.

**SECTION 704.** 25.40 (1) (a) 18. of the statutes is created to read:

25.40 **(1)** (a) 18. Moneys received under s. 85.12 that are deposited in the general fund and credited to the appropriation account under s. 20.395 (5) (dk) or (dL).

**SECTION 704m.** 25.40 (1) (a) 19. of the statutes is created to read:

25.40 **(1)** (a) 19. Moneys received under s. 341.14 (6r) (b) 7. that are deposited in the general fund and credited to the appropriations under ss. 20.395 (5) (cL) and 20.505 (3) (j).

**SECTION 706.** 25.42 of the statutes is amended to read:

**25.42 Wisconsin election campaign fund.** All moneys appropriated under ~~s.~~ ss. 20.510 (1) (c) and 20.855 (4) (b) together with all moneys reverting to the state under s. 11.50 (8) and all gifts, bequests and devises received under s. 11.50 (13) constitute the Wisconsin election campaign fund, to be expended for the purposes of s. 11.50. All moneys in the fund not disbursed by the state treasurer shall continue to accumulate indefinitely.

**SECTION 706q.** 25.43 (1) (h) of the statutes is amended to read:

25.43 **(1)** (h) The fees imposed under ss. 281.58 (9) (d), 281.595 (11m) and 281.60 (11m).

**SECTION 706s.** 25.43 (2) (c) of the statutes is amended to read:

25.43 **(2)** (c) The department of administration may establish and change accounts in the environmental improvement fund other than those under pars. (a), (ae), (am) and (b). The department of administration shall consult the department of natural resources before establishing or changing an account that is needed to administer the programs under ss. 281.58, 281.59, 281.595 and ~~or~~ 281.61.

**SECTION 707.** 25.43 (3) of the statutes is amended to read:

25.43 **(3)** Except for the purpose of investment as provided in s. 25.17 (2) (d), the environmental improvement fund may be used only for the purposes authorized under ss. 20.320 (1) (r), (s), (sm), (t), (x) and (y) ~~and~~, (2) (s) and (x) and (3) (q), 20.370 (4) (mt), (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny), 20.505 (1) (v), (x) and (y), 281.58, 281.59, 281.595, 281.60, 281.61 and 281.62.

**SECTION 708.** 25.46 (1r) of the statutes is created to read:

25.46 **(1r)** The moneys transferred from the Wisconsin development reserve fund under 1999 Wisconsin Act .... (this act), section 9225 (1).

**SECTION 711.** 25.46 (12) of the statutes is created to read:

25.46 **(12)** The funds transferred under s. 292.65 (11).

**SECTION 711m.** 25.46 (19) of the statutes is amended to read:

25.46 **(19)** The environmental impact ~~fee~~ fees imposed under ~~s.~~ ss. 101.9208 (2) and 342.14 (1r) for environmental management.

**SECTION 712.** 25.465 (8) of the statutes is amended to read:

25.465 **(8)** The fees collected under s. 94.72 (5) (b) and (6) (a) 1. and 2. and (i).

**SECTION 713.** 25.47 of the statutes is renumbered 25.47 (intro.) and amended to read:

**25.47 Petroleum inspection fund.** (intro.) There is established a separate nonlapsible trust fund designated as the petroleum inspection fund, to consist of ~~the~~:

**(1)** The fees imposed under s. 168.12 (1)~~, the~~.

**(2)** The payments under s. 101.143 (4) (h) 1m.~~, the~~

**(3)** The payments under s. 101.143 (5) (a) ~~and the~~.

**(4)** The net recoveries under s. 101.143 (5) (c).

**SECTION 714c.** 25.47 (1m) of the statutes is created to read:

25.47 **(1m)** Any fees imposed under s. 101.143 (2) (em) 1.

**SECTION 715.** 25.47 (5) of the statutes is created to read:

25.47 **(5)** The moneys transferred from the appropriation account under s. 20.143 (3) (s).

**SECTION 715e.** 25.47 (6) of the statutes is created to read:

25.47 **(6)** The net proceeds of revenue obligations issued under s. 101.143 (9m) that are transferred from a separate and distinct fund outside the state treasury, in an account maintained by a trustee, under s. 18.562 (3) and (5) (e).

**SECTION 716.** 25.48 of the statutes is amended to read:

**25.48 Dry cleaner environmental response fund.** There is established a separate nonlapsible trust fund designated as the dry cleaner environmental response fund, to consist of the moneys required under s. 77.9964 (3) to be deposited in the fund and moneys collected under ss. 292.65 (9) (c) and (9m).

**SECTION 717.** 25.50 (1) (d) of the statutes is amended to read:

25.50 **(1)** (d) "Local government" means any county, town, village, city, power district, sewerage district, drainage district, town sanitary district, public inland

lake protection and rehabilitation district, local professional baseball park district created under subch. III of ch. 229, family care district under s. 46.2895, public library system, school district or technical college district in this state, any commission, committee, board or officer of any governmental subdivision of this state, any court of this state, other than the court of appeals or the supreme court, or any authority created under s. 231.02, 233.02 or 234.02.

**SECTION 717d.** 25.55 of the statutes is created to read:

**25.55 Health insurance risk–sharing plan fund.** There is established a separate nonlapsible trust fund designated as the health insurance risk–sharing plan fund, to consist of:

**(1)** All moneys appropriated under s. 20.435 (4) (af).

**(2)** All moneys appropriated under s. 20.435 (4) (ah).

**(3)** Insurer assessments under ch. 149.

**(4)** Premiums paid by eligible persons under ch. 149.

**SECTION 717g.** 25.61 of the statutes is amended to read:

**25.61 ~~Information technology investment~~ VendorNet fund.** There is created a separate nonlapsible trust fund designated as the ~~information technology investment~~ VendorNet fund consisting of all revenues accruing to the state from fees assessed under ss. 16.701 and 16.702 and from gifts, grants and bequests made for ~~information technology development~~ the purposes of ss. 16.701 and 16.702 and moneys transferred to the fund from other funds.

**SECTION 717r.** 25.61 of the statutes, as affected by 1995 Wisconsin Act 351, section 4m, 1997 Wisconsin Act 36, section 5, and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

**25.61 VendorNet fund.** There is created a separate nonlapsible trust fund designated as the VendorNet fund consisting of all revenues accruing to the state from fees assessed under s. 16.701 and from gifts, grants and bequests made for the purposes of s. 16.701 and moneys transferred to the fund from other funds.

**SECTION 717t.** 25.66 of the statutes is created to read:

**25.66 Tobacco control fund. (1)** There is created a separate nonlapsible trust fund, known as the tobacco control fund, to consist of the following:

(a) The first $2,492,000 of the moneys received in fiscal year 1999–2000 under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

(b) Beginning in fiscal year 2000–01, the first $26,600,000 of the moneys received each year under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

**(2)** Amounts in the fund may be distributed only for the purposes specified in s. 255.15.

**SECTION 718.** 25.80 of the statutes is amended to read:

**25.80 Tuition trust fund.** There is established a separate nonlapsible trust fund designated as the tuition trust fund, consisting of all revenue from enrollment fees and the sale of tuition units under s. ~~16.24~~ 14.63.

**SECTION 718g.** 26.08 (2) (a) of the statutes is amended to read:

26.08 **(2)** (a) Except as provided under pars. (b) ~~and (c)~~ to (d), the department may lease state park land or state forest land for terms not exceeding 15 years.

**SECTION 718r.** 26.08 (2) (d) of the statutes is created to read:

26.08 **(2)** (d) The department may lease Northern Highland American Legion State Forest land on Statehouse Lake in the town of Manitowish Waters for the North Lakeland Discovery Center for a term not exceeding 30 years.

**SECTION 719.** 26.145 (4) of the statutes is repealed.

**SECTION 720d.** 27.01 (7) (a) 3. of the statutes is amended to read:

27.01 **(7)** (a) 3. In this subsection "vehicle admission area" means the Bong area lands acquired under s. 23.09 (13), the Wisconsin Dells natural area, the Point Beach state forest, recreational areas in other state forests designated as such by the department, designated use zones within recreation areas established under s. 23.091 (3), and any state park or roadside park except those specified in par. (c) 5.

**SECTION 720g.** 27.01 (15) (title) of the statutes is repealed and recreated to read:

27.01 **(15)** (title) CERTAIN TYPES OF CAMPSITES.

**SECTION 720m.** 27.01 (15) of the statutes is renumbered 27.01 (15) (b) and amended to read:

27.01 **(15)** (b) The ~~department shall maintain a ratio of~~ number of state park campsites with ~~an~~ electric ~~receptacle to~~ receptacles shall be maintained by the department so that not more than 25% of all state park campsites ~~that is equal to or less than the ratio which exists on April 26, 1988~~ have electric receptacles and not less than 25% of all state park campsites are rustic state park campsites.

**SECTION 720r.** 27.01 (15) (a) of the statutes is created to read:

27.01 **(15)** (a) In this subsection:

1. "Rustic state park campsite" means a state park campsite in a campground that meets all of the requirements that are promulgated by rule by the department for campgrounds that do not provide modern facilities such as electrical receptacles, flush–type toilets and showers.

2. "State park campsite" means a campsite that is located in a state park.

**SECTION 722.** 28.05 (1) of the statutes is amended to read:

28.05 **(1)** LIMITATIONS. Cutting shall be limited to trees marked or designated for cutting by a forester in the professional series of the state classified civil service or by a department–designated employe equally qualified by reason of long, practical experience. The department may sell products removed in cultural or salvage cuttings and standing timber designated in timber sale contracts, but all sales shall be based on tree scale or on the scale, measure or count of the cut products. The department may require that a person purchasing products or standing timber under a timber sale contract provide surety for the proper performance of the contract either directly or through a bond furnished by a surety company authorized to do business in this state.

**SECTION 722e.** 28.05 (2) of the statutes is amended to read:

28.05 **(2)** PROCEDURE. Sales of cut products or stumpage having an estimated value of ~~$1,000~~ $3,000 or more shall be by public sale after 2 publications of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located. Sales with an estimated value of ~~$2,500~~ $3,000 or more requires approval by the secretary.

**SECTION 722m.** 28.11 (6) (b) 1. of the statutes is amended to read:

28.11 **(6)** (b) 1. Any timber sale with an estimated value of ~~$1,000~~ $3,000 or more shall be by sealed bid or public sale after publication of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located. Any timber sale with an estimated value below ~~$1,000~~ $3,000 may be made without prior advertising. Any timber sale with an estimated value of ~~$2,500~~ $3,000 or more requires approval of the secretary.

**SECTION 722s.** 28.22 of the statutes is amended to read:

**28.22 Timber sales; community forests.** Any timber sale from a community forest shall be based on the scale, measure or count of the cut products. Any timber sale with an estimated value of ~~$1,000~~ $3,000 or more shall be by public sale after 2 publications of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located.

**SECTION 722t.** 29.001 (28) of the statutes is created to read:

29.001 **(28)** "Food distribution service" means a program that provides food or serves meals directly to individuals with low incomes or to elderly individuals, or that collects and distributes food to persons who provide food or serve meals directly to these individuals.

**SECTION 722u.** 29.024 (2g) (e) of the statutes is created to read:

29.024 **(2g)** (e) *Alternative to providing social security numbers.* If the federal government allows a method under the system under s. 49.857 (2) for purposes of administering this subsection that does not require the use of social security numbers of individuals applying for or holding approvals, the department shall request that the legislative reference bureau prepare legislation that allows compliance with that method and that eliminates the requirement that individuals provide their social security numbers under the system. The secretary shall submit the proposed legislation to the standing committee of each house of the legislature that has jurisdiction over fish and wildlife matters under s. 13.172 (3).

**SECTION 722v.** 29.024 (6) (a) 4. of the statutes is created to read:

29.024 **(6)** (a) 4. Contract with persons who are not employes of the department to operate a statewide automated system for issuing approvals.

**SECTION 723.** 29.024 (6) (am) of the statutes is created to read:

29.024 **(6)** (am) In reserving deer hunting back tag numbers, the department may do any of the following:

1. Directly reserve the numbers.

2. Appoint, as an agent of the department, the clerk of one or more counties to reserve the numbers.

3. Appoint, as agents of the department, persons who are not employes of the department to reserve the numbers.

**SECTION 724.** 29.024 (6) (b) of the statutes is amended to read:

29.024 **(6)** (b) The clerk of each county appointed under par. (a) 2. or (am) 2. may accept the appointment.

**SECTION 725.** 29.024 (6) (d) of the statutes is amended to read:

29.024 **(6)** (d) The department may promulgate rules regulating the activities of persons appointed under ~~par.~~ pars. (a) 2. ~~and~~, 3. and 4. and (am) 2. and 3.

**SECTION 725g.** 29.164 (3) (ci) of the statutes is created to read:

29.164 **(3)** (ci) *Fourth preference.* The department shall create a 4th preference category in issuing wild turkey hunting licenses to applicants who are qualified nonresident landowners. For purposes of this paragraph, a qualified nonresident landowner is a person who is not a resident and who owns at least 50 acres in one parcel in an established wild turkey hunting zone and who agrees to allow other persons to hunt wild turkeys on that land if those persons first obtain permission to hunt from the landowner. If more than one individual is the landowner of a single parcel of land, only one individual may be considered a qualified nonresident landowner.

**SECTION 725r.** 29.164 (3) (cm) of the statutes is amended to read:

29.164 **(3)** (cm) ~~*Fourth*~~ *Fifth preference.* The department shall create a ~~4th~~ 5th preference category in issuing wild turkey hunting licenses to all other nonresident applicants ~~who are not resident applicants~~.

**SECTION 726.** 29.181 (2m) (intro.) of the statutes is amended to read:

29.181 **(2m)** RESIDENT FARM OWNER. (intro.) If the department determines that for a deer management area the number of available bonus deer hunting permits for a single season will exceed the number of applications submitted, the department may authorize by rule the issuance of one or more bonus deer hunting permits to a resident without the resident having to pay any fee, including any processing or issuing fee, if the resident meets all of the following requirements:

**SECTION 726c.** 29.184 (2) (a) of the statutes is renumbered 29.184 (2).

**SECTION 726e.** 29.184 (2) (b) of the statutes is repealed.

**SECTION 726j.** 29.184 (6) (b) of the statutes is amended to read:

29.184 **(6)** (b) *Cumulative preference system; random selection.* If the number of qualified applications for Class A bear licenses exceeds the number of available licenses, the department shall select applicants to be issued Class A bear licenses based upon a cumulative preference system. This system shall establish preference categories for those applicants who applied for but who were not issued Class A bear licenses or bear harvest permits under s. 29.1085 (3) (b), 1993 stats., in the previous season, with higher priority given to those categories with more preference points than those with fewer preference points. For each season, the department shall allow each applicant under the system to apply for a preference point or for a license. The department shall give a preference point to each applicant who applies for a ~~given season and~~ preference point and to each applicant who applies for a license but who is not selected ~~or who is selected but declines to pay the required fee for a Class A~~

~~bear license~~. Applicants who fail to apply for either a preference point or a license at least once during any 3 consecutive years shall lose all previously accumulated preference points. If the number of applicants within a preference category exceeds the number of Class A bear licenses available in the category, the department shall select at random the applicants to be issued licenses within the preference category.

**SECTION 726k.** 29.184 (6) (c) (title) of the statutes is amended to read:

29.184 **(6)** (c) (title) *Notification, issuance; ~~payment~~ fees*.

**SECTION 726L.** 29.184 (6) (c) 1. of the statutes is renumbered 29.184 (6) (c) 1r. and amended to read:

29.184 **(6)** (c) 1r. The department shall issue a notice of approval to those qualified applicants selected to receive a Class A bear license. A person who receives a notice of approval and who pays the ~~required fee~~ fees required for the license shall be issued the license subject to s. ~~29.09 (11m)~~ 29.024 (2g).

**SECTION 726n.** 29.184 (6) (c) 1g. of the statutes is created to read:

29.184 **(6)** (c) 1g. A person who applies for a preference point or a license under par. (a) shall pay the processing fee under s. 29.553 at the time of application.

**SECTION 726p.** 29.184 (6) (c) 2. of the statutes is amended to read:

29.184 **(6)** (c) 2. A Class B bear license shall be issued subject to s. 29.024 ~~(11m)~~ (2g) by the department to any resident who applies for this license.

**SECTION 727.** 29.184 (9) (a) of the statutes is amended to read:

29.184 **(9)** (a) The department shall issue a back tag to each person who is issued a Class A bear license~~, and the department or county clerk shall issue a back tag to each person who is issued~~ or a Class B bear license.

**SECTION 728.** 29.229 (4) (f) of the statutes is amended to read:

29.229 **(4)** (f) Sections 29.024 (3), (4) (b), (5) (b), (7), (8) and (9), 29.559 (2) ~~and (3)~~ and 29.564 do not apply to any approval that may be issued under this section.

**SECTION 729.** 29.2295 (4) (c) of the statutes is created to read:

29.2295 **(4)** (c) 1. The department shall make the payments under this subsection from the appropriation under s. 20.370 (9) (hk).

2. If the amount appropriated under s. 20.370 (9) (hk) is insufficient to make all of the payments under this subsection, the department shall make the remaining payments from the appropriation under s. 20.370 (9) (ht).

**SECTION 730f.** 29.319 of the statutes is created to read:

**29.319 Falconry regulation. (1)** In regulating falconry and the taking of raptors for use in falconry, the department may do any of the following:

(a) Establish by rule a fee for any approval that it issues as part of this regulation.

(b) Allow persons who are not residents to take raptors from the wild to be used for falconry, but only if all of the following apply:

1. The person holds an approval, issued by the department, that authorizes the taking of raptors for use in falconry.

2. The person holds an approval, issued by the state, province or country of which he or she is a resident, that authorizes the taking of raptors for use in falconry.

3. The state, province or country of which the person is a resident allows residents of this state to take raptors from the wild in that state, province or country.

**(2)** Any fees collected by the department under this section shall be deposited in the conservation fund to be used for department activities relating to fish and wildlife.

**SECTION 730m.** 29.347 (2) of the statutes is amended to read:

29.347 **(2)** DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler of the deer a current validated deer carcass tag which is authorized for use on the type of deer killed. Except as provided under sub. (2m) or s. 29.871 (7), (8) or (14) or 29.89 (6), no person may possess, control, store or transport a deer carcass unless it is tagged as required under this subsection. The carcass tag may not be removed before registration. The removal of a carcass tag from a deer before registration renders the deer untagged.

**SECTION 732.** 29.506 (7m) (a) of the statutes is amended to read:

29.506 **(7m)** (a) The department shall issue a taxidermy school permit to a person who applies for the permit; who, on August 15, 1991, holds a valid taxidermist permit issued under this section; and who, on August 15, 1991, operates a taxidermy school approved by the educational approval board under s. ~~39.51~~ 45.54.

**SECTION 733.** 29.556 (1) of the statutes is renumbered 29.556 (1m) and amended to read:

29.556 **(1m)** In addition to any other fee imposed under s. 29.563, the department may collect a handling fee ~~for the approvals that the department itself issues~~ to cover long–distance handling costs and in–person credit transaction costs incurred in issuing approvals.

**SECTION 733d.** 29.556 (1b) (a) of the statutes is created to read:

29.556 **(1b)** (a) "In –person credit transaction costs" means the costs associated with issuing approvals that are applied for and issued in person and that are paid for by using a credit card.

**SECTION 734.** 29.556 (2) of the statutes is renumbered 29.556 (2) (a) and amended to read:

29.556 **(2)** (a) If the department collects a handling fee under sub. ~~(1)~~ (1m), it shall promulgate rules to ~~designate~~ do all of the following:

1. Designate the approvals to which the fee applies ~~and to establish~~.

2. Establish the ~~amounts~~ amount of the fee. ~~The~~

(c) A handling fee may not be more than the amounts necessary to cover the long–distance handling costs or the in–person credit transaction costs of issuing the approvals.

**(1b)** In this ~~paragraph, "handling~~ section:

(b) "Long–distance handling costs" ~~includes~~ means the costs associated with paying for approvals that are requested by mail, telephone or electronic means and includes credit transaction fees, mailing costs and personnel costs that are necessary to process ~~the~~ a credit transaction.

**SECTION 735b.** 29.556 (2) (b) of the statutes is created to read:

29.556 **(2)** (b) 1. The department may collect long–distance handling costs and in–person credit transaction costs for the approvals that the department itself issues.

2. The department may allow a person with whom it has contracted under s. 29.024 (6) (a) 4. to collect handling fees that cover long–distance handling costs. The department may allow the person to retain all or a portion of each handling fee.

3. The department may allow an agent who is appointed under s. 29.024 (6) (a) 2. or 3. to collect handling fees that cover in–person credit transaction costs. The department may allow the agent to retain all or a portion of each handling fee.

**SECTION 736.** 29.556 (3) of the statutes is amended to read:

29.556 **(3)** Any fees collected under this section by the department shall be credited to the appropriation account under s. 20.370 (9) (hu).

**SECTION 737.** 29.559 (1) of the statutes is amended to read:

29.559 **(1)** COLLECTION OF ISSUING FEE. Any person, including the department, who issues any license or stamp under this chapter shall collect, in addition to the statutory license or stamp fee, an issuing fee for each license and each stamp the person issued. A person appointed under s. 29.024 (6) (a) 2. ~~or~~, 3. or 4. may retain ~~the amounts specified in sub. (3)~~ 50 cents of each issuing fee for each license and 15 cents for each issuing fee of each stamp to compensate for services in issuing the license or stamp.

**SECTION 738.** 29.559 (1r) of the statutes is created to read:

29.559 **(1r)** COLLECTION OF ISSUING FEE FOR BONUS DEER HUNTING PERMITS. (a) Any person, including the department, who issues a bonus deer hunting permit shall collect, in addition to the statutory permit fee, an issuing fee for each permit. A person appointed under s. 29.024 (6) (a) 2., 3. or 4. may retain 50 cents of each issuing fee for each permit to compensate for services in issuing the permit.

(b) The issuing fees received by the department for bonus deer hunting permits under this section shall be credited to the appropriation account under s. 20.370 (5) (fq).

**SECTION 739.** 29.559 (3) of the statutes is repealed.

**SECTION 740.** 29.561 of the statutes is created to read:

**29.561 Back tag number reservation fee. (1)** COLLECTION OF FEE. The department shall establish a system under which the department shall reserve a deer hunting back tag number for a person who pays a reservation fee. The department may limit the number of back tag numbers that may be reserved under this system. Upon payment of the fee each year, the department shall issue the same back tag number to that person. Any person, including the department, who reserves

a back tag number shall collect, in addition to each reservation fee, an issuing fee of 50 cents.

**(2)** HANDLING AND RETENTION OF FEES. An issuing fee collected by any employe of the department under this section shall be remitted to the department. An issuing fee collected by a person appointed under s. 29.024 (6) (am) 2. or 3. may retain the issuing fee to compensate for services in making the reservation.

**SECTION 753.** 29.563 (2) (c) 1. of the statutes is amended to read:

29.563 **(2)** (c) 1. Bonus deer: ~~$12~~ $11.25.

**SECTION 754.** 29.563 (2) (d) of the statutes is amended to read:

29.563 **(2)** (d) *Nonresident permit.* Bonus deer: ~~$20~~ $19.25.

**SECTION 767.** 29.563 (9) (a) 2. of the statutes is amended to read:

29.563 **(9)** (a) 2. Pheasant and quail farm: ~~$20~~ $100.

**SECTION 768.** 29.563 (9) (a) 3. of the statutes is amended to read:

29.563 **(9)** (a) 3. Game bird and animal farm: ~~$10~~ $25.

**SECTION 769.** 29.563 (9) (a) 5. of the statutes is amended to read:

29.563 **(9)** (a) 5. Deer farm: ~~$25~~ $100.

**SECTION 770.** 29.563 (9) (a) 10. of the statutes is amended to read:

29.563 **(9)** (a) 10. Wildlife exhibit: ~~$10~~ $25.

**SECTION 771.** 29.563 (9) (b) of the statutes is amended to read:

29.563 **(9)** (b) *Late fee.* For a license for a pheasant and quail farm, game bird and animal farm or fur animal farm, in addition to the regular fee: ~~$10~~ $20.

**SECTION 772.** 29.563 (9) (c) of the statutes is created to read:

29.563 **(9)** (c) *Surcharges.* For the following licenses, the following surcharges in addition to the fees in pars. (a) and (b):

1. A license for a game bird and animal farm on which there are bear: $25.

2. A license for a game bird and animal farm on which the licensee permits an individual to hunt game birds for a fee: $75.

3. A license for a game bird and animal farm on which the licensee permits an individual to hunt grouse for a fee: $25.

4. A license for a game bird and animal farm on which the licensee sells game animals, the gross revenue from which is $10,000 or more during the 12 months immediately preceding the issuance of the license: $25.

5. A license for a wildlife exhibit at which the licensee exhibits a bear or a cougar: $25.

**SECTION 773.** 29.563 (11) (b) 1. of the statutes is amended to read:

29.563 **(11)** (b) 1. Hunter education and firearm safety instruction fee: ~~$3~~ the fee as established by rule.

**SECTION 777.** 29.563 (14) (intro.) of the statutes is amended to read:

29.563 **(14)** PROCESSING, HANDLING, RESERVATION AND ISSUING FEES. (intro.) The fees for processing, handling, reserving and issuing approvals are as follows:

**SECTION 777g.** 29.563 (14) (a) 1. of the statutes is amended to read:

29.563 **(14)** (a) 1. The processing fee for applications for approvals under the cumulative preference systems for the hunter's choice deer hunting permit, bonus deer hunting permit, wild turkey hunting license, Class A bear license, Canada goose hunting permit, sharp–tailed grouse hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit: $2.75.

**SECTION 778.** 29.563 (14) (bn) of the statutes is created to read:

29.563 **(14)** (bn) *Reservation fee.* Reservation fee for a deer hunting back tag number: $4.50.

**SECTION 779.** 29.563 (14) (c) 3. of the statutes is amended to read:

29.563 **(14)** (c) 3. Each application for a hunter's choice permit, bonus deer hunting permit, wild turkey hunting license, Canada goose hunting permit, sharp–tailed grouse hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit: 25 cents.

**SECTION 780.** 29.563 (14) (c) 4. of the statutes is created to read:

29.563 **(14)** (c) 4. Each bonus deer hunting permit issued for which a fee is charged under s. 29.563 (2) (c) 1. or (d): 75 cents.

**SECTION 781.** 29.563 (14) (c) 5. of the statutes is created to read:

29.563 **(14)** (c) 5. Each reservation for a deer hunting back tag number: 50 cents.

**SECTION 782.** 29.591 (3) of the statutes is amended to read:

29.591 **(3)** INSTRUCTION FEE. The department shall establish by rule the fee for the course of instruction under the hunter education program and the bow hunter education program. The instructor shall collect ~~the~~ this instruction fee ~~specified under s. 29.563 (11) (b) 1.~~ from each person who receives instruction under the hunter education program and the bow hunter education program and remit the fee to the department. The department may ~~authorize an instructor under either program to retain 50%~~ determine the portion of this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred by the instructor in conducting the course. The instructor shall remit the ~~remaining portion~~ remainder of the fee or, if nothing is retained, the entire fee to the department.

**SECTION 782m.** 29.598 of the statutes is created to read:

**29.598 Outdoors skills training. (1)** PROGRAM COORDINATION. The department and the board of regents of the University of Wisconsin System shall

enter into an agreement with an established national organization that provides training to persons who are interested in learning about the outdoor skills needed by women to hunt, fish, camp, canoe and undertake other outdoor recreational activities in order to provide that type of training to interested persons.

**(2)** MATCH. No moneys may be transferred from the appropriation account under s. 20.370 (1) (mu) to pay for the costs associated with the agreement under sub. (1), unless the organization described in sub. (1) demonstrates that it has contributed an equal amount to pay for those costs. The matching contribution may be in the form of money or in–kind goods or services.

**SECTION 783m.** 29.733 (3) of the statutes is created to read:

29.733 **(3)** A person may obtain water from a natural body of water that is not part of a fish farm for use in a fish farm if all of the following apply:

(a) The water is transferred directly from the natural body of water to the fish farm.

(b) Any of the water that is transferred out of the fish farm after use is transferred directly back to the natural body from which it was obtained.

(c) The transfer of the water between the natural body of water and the fish farm is achieved by use of a pipe, flume, ditch or pump or by use of any combination of these items.

(d) Any pipe, flume or ditch that is used is equipped with barriers that prevent the passage of fish between the fish farm and the other waters of the state.

**SECTION 784m.** 29.89 of the statutes is created to read:

**29.89 Venison processing grants. (1)** DEFINITIONS. In this section:

(a) "Charitable organization" means a nonprofit corporation, charitable trust or other nonprofit association that is described in section 501 (c) (3) of the Internal

Revenue Code and that is exempt from taxation under section 501 (a) of the Internal Revenue Code.

(b) "Deer damage management season" means a season for hunting deer that is established or extended by the department in order to reduce the deer population because the department determines that an excess population of deer will result in the increase of damage to agricultural or forest lands.

**(2)** ESTABLISHMENT OF PROGRAM. The department shall establish a program to reimburse counties for the costs that they incur in processing venison from certain deer carcasses.

**(3)** ELIGIBILITY REQUIREMENTS. A county is eligible for reimbursement under this section if all of the following apply:

(a) The county participates in the administration of both the wildlife damage abatement program and the wildlife damage claim program under s. 29.889.

(b) The county accepts deer carcasses for processing and pays for the costs of processing.

(c) The venison that is processed comes from deer that were killed in the county during a deer damage management season.

(d) The county pays for the costs of processing the venison.

(e) The processed venison is donated as provided under sub. (4).

**(4)** DONATIONS AUTHORIZED. A county may donate the processed venison to a food distribution service or a charitable organization. The county may require that the carcasses be field dressed before accepting them for processing.

**(5)** GRANTS; AMOUNTS; FUNDING. (a) Reimbursement under this section shall equal the amount that it costs a county to process the venison.

(b) The department shall reimburse counties under this section from the appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq) payments made for county administrative costs, payments made for wildlife damage abatement assistance and wildlife damage claim payments under s. 29.889.

(c) If the total amount of reimbursable costs under par. (a) exceeds the amount available after making the deductions under par. (b), the department shall establish a system to prorate the reimbursement payments among the eligible counties.

**(6)** TAGGING EXEMPTION. The requirement under s. 29.347 (2m) (a) that the tags remain with the deer carcass or venison does not apply to a deer carcass or venison that is subject to this section.

**SECTION 785d.** 29.936 (1) of the statutes is amended to read:

29.936 **(1)** Notwithstanding s. ~~29.06~~ 29.934, the department may distribute for free carcasses from fish and game seized or confiscated under s. ~~29.05~~ 29.931 that are suitable for eating to food distribution services~~, as defined in s. 46.765 (1) (b)~~. The department may have the fish or game that is seized or confiscated processed before distributing that fish or game to food distribution services. The department may collect the costs of the processing of the fish or game from the person from whom the fish and game was seized or confiscated.

**SECTION 792.** 30.12 (4) (a) of the statutes is amended to read:

30.12 **(4)** (a) Activities affecting waters of the state as defined in s. 281.01 (18) that are carried out under the direction and supervision of the department of transportation in connection with highway ~~and~~, bridge or other transportation project design, location, construction, reconstruction, maintenance and repair are not subject to the prohibitions or permit or approval requirements specified under this section or s. 29.601, 30.11, 30.123, 30.19, 30.195, 30.20, 59.692, 61.351, 62.231

or 87.30 or chs. 281 to 285 or 289 to 299, except s. 281.48. However, at the earliest practical time prior to the commencement of these activities, the department of transportation shall notify the department of the location, nature and extent of the proposed work that may affect the waters of the state.

**SECTION 793p.** 30.1255 (4) of the statutes is created to read:

30.1255 **(4)** EDUCATIONAL ACTIVITIES. The department shall expend moneys in fiscal year 1999–2000 and in fiscal year 2000–01 to conduct activities that provide information and educational materials to the public regarding aquatic nuisance species. The amount expended under this subsection in each fiscal year may not exceed $25,000.

**SECTION 793q.** 30.1255 (4) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 793t.** 30.134 of the statutes is created to read:

**30.134 Use of exposed shore areas along streams. (1)** DEFINITIONS. In this section:

(a) "Artificial ditch" means a ditch, channel, canal or other stream of water that has no prior history as a stream.

(b) "Exposed shore area" means the area of the bed of a navigable body of water that is between the ordinary high–water mark and the water's edge.

(c) "Highway" has the meaning given in s. 340.01 (22).

(d) "Riparian" means the owner, lessee or occupant of land that abuts a navigable body of water.

(e) "Water–related recreational activity" means a recreational activity that requires a body of water and includes swimming, fishing and boating.

**(2)** AUTHORIZATION. Members of the public may use any exposed shore area of a stream without the permission of the riparian to engage in a water–related recreational activity.

**(3)** RESTRICTIONS; MEMBERS OF PUBLIC. (a) In engaging in a water–related recreational activity in the exposed shore area of a stream, as authorized under sub. (2), a member of the public may not do any of the following:

1. Use a motorized vehicle unless an exception under s. 30.29 (3) applies.

2. Place a structure or object on the exposed shore area that remains after the person leaves the exposed shore area.

3. Cut or remove trees or woody vegetation.

4. Remove or damage soils or plants.

5. Remove or damage any object that was placed on the exposed shore area by the riparian.

6. Camp overnight.

7. Enter the exposed shore area except from the water in the stream, from a point of public access on the stream or with the permission of the riparian.

(b) Paragraph (a) 4. and 5. does not apply to removal or damage that is caused by normal wear or tear.

(c) Use of an exposed shore area of a stream by members of the public does not grant an easement or other right to the exposed shore area that is greater than the right granted to the public under this section.

**(4)** RESTRICTIONS; RIPARIANS; OTHERS. (a) No riparian may prohibit a member of the public from using, as authorized under this section, an exposed shore area of a stream.

(b) No riparian may charge a fee for the use, as authorized under this section, of an exposed shore area of a stream.

(c) No person may obstruct a highway with the intention to impede or prohibit access by the public to an exposed shore area of a stream.

**(5)** EXCEPTIONS. The right granted to the public to engage in recreational activities on an exposed shore area of a stream does not apply to any of the following:

(a) An exposed shore area of an impoundment on a stream.

(b) Any artificial ditch.

(c) Any location on a stream where there is no surface water flowing in the stream.

**SECTION 802m.** 30.19 (1m) (b) of the statutes is amended to read:

30.19 **(1m)** (b) ~~Any agricultural uses~~ The use of land for agricultural purposes, as defined in s. 29.181 (1b) (a).

**SECTION 847g.** 30.24 of the statutes is created to read:

**30.24 Bluff protection. (1)** DEFINITIONS. In this section:

(a) "Obligate" has the meaning given in s. 23.0917 (1) (e).

(b) "Protect" includes to restore.

**(2)** AUTHORIZATION. For the purposes of protecting bluff land, the department may expend money from the appropriation under s. 20.866 (2) (ta) for a program under which the department may do all of the following:

(a) Acquire bluff land or interests in bluff land.

(b) Award grants to nonprofit conservation organizations to acquire these lands or interests under s. 23.096.

**(3)** BAN ON LOCATION RESTRICTIONS. In exercising its authority under sub. (2) (a), the department may not limit acquisitions of bluff lands to bluff lands that are within the boundaries of projects established by the department.

**(4)** LIMIT ON GRANTS. A grant awarded under this section or under s. 23.096 to protect bluffs may not exceed 50% of the acquisition costs.

**(5)** RULES. The department shall promulgate rules to administer and implement this section, including standards for awarding grants to protect bluffs under this section and under s. 23.096 grants. The department by rule shall define "bluff land" for purposes of this section.

**SECTION 847L.** 30.277 (1) of the statutes is renumbered 30.277 (1m) (a) and amended to read:

30.277 **(1m)** (a) Beginning in fiscal year 1992–93 ~~and ending in fiscal year 1999–2000~~, from the appropriation under s. 20.866 (2) (tz), the department shall award grants to ~~municipalities~~ governmental units to assist ~~municipalities~~ them in projects on or adjacent to rivers that flow through urban areas. The department may award these grants from the appropriation under s. 20.866 (2) (ta) beginning on July 1, 2000.

(b) For each fiscal year, except as provided in s. 23.0915 (1r) (c), from the appropriation under s. 20.866 (2) (tz), the department shall designate for expenditure $1,900,000 for grants under this section and for grants under s. 23.096 for the purposes under sub. (2) (a). This paragraph does not apply after June 30, 2000.

**SECTION 847m.** 30.277 (1b) of the statutes is created to read:

30.277 **(1b)** DEFINITION. In this section:

(a) "Governmental unit" means a city, village, town, county or the Kickapoo reserve management board.

(b) "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

**SECTION 847n.** 30.277 (2) (a) of the statutes is amended to read:

30.277 **(2)** (a) Grants awarded under this section from the appropriation under s. 20.866 (2) (tz) shall be used for projects that emphasize the preservation or restoration of urban rivers or riverfronts for the purposes of economic revitalization and encouraging outdoor recreation activities that involve the enjoyment of the state's natural resources. These outdoor recreation activities include, but are not limited to fishing, wildlife observation, enjoyment of scenic beauty, canoeing, boating, hiking and bicycling.

**SECTION 847o.** 30.277 (2) (b) of the statutes is amended to read:

30.277 **(2)** (b) A grant awarded to a ~~municipality~~ governmental unit under this section may be used to acquire land and may be used for a shoreline enhancement project. For purposes of this paragraph, "land" includes rights in land.

**SECTION 847p.** 30.277 (2) (c) of the statutes is created to read:

30.277 **(2)** (c) Grants awarded under this section from the appropriation under s. 20.866 (2) (ta) shall only be used for nature–based outdoor recreation.

**SECTION 847q.** 30.277 (3) (e) of the statutes is amended to read:

30.277 **(3)** (e) Whether significant planning has occurred in the ~~municipality~~ area subject to the jurisdiction of the governmental unit prior to its request for a grant under this section.

**SECTION 847r.** 30.277 (3) (f) of the statutes is amended to read:

30.277 **(3)** (f) The level of support for the project demonstrated by the ~~municipality~~ governmental unit, including financial support.

**SECTION 847s.** 30.277 (3) (g) of the statutes is amended to read:

30.277 **(3)** (g) Whether the project involves a joint effort by 2 or more ~~municipalities~~ governmental units.

**SECTION 847t.** 30.277 (3) (h) of the statutes is amended to read:

30.277 **(3)** (h) The potential benefits of the project to the overall economy of the ~~municipality~~ area subject to the jurisdiction of the governmental unit.

**SECTION 847u.** 30.277 (4) of the statutes is amended to read:

30.277 **(4)** CAP ON GRANTS. No ~~municipality~~ governmental unit may receive in any fiscal year more than 20% of the funds that are available for grants under this section.

**SECTION 847v.** 30.277 (4m) of the statutes is created to read:

30.277 **(4m)** GRANTS FOR KICKAPOO. The department may not award a grant under this section from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

**SECTION 847w.** 30.277 (5) of the statutes is amended to read:

30.277 **(5)** CONTRIBUTION BY ~~MUNICIPALITY~~ GOVERNMENTAL UNIT. To be eligible for a grant under this section, at least 50% of the ~~cost of the project~~ acquisition costs for land or of the project costs shall be funded by private, local or federal funding, by in–kind contributions or by state funding. For purposes of this subsection, state funding may not include grants under this section, moneys appropriated to the department under s. 20.370 or money appropriated under s. 20.866 (2) (ta), (tp) to (tw), (ty) or (tz).

**SECTION 847x.** 30.277 (6) of the statutes is amended to read:

30.277 **(6)** RULES. The department shall promulgate rules for the administration of this section, including rules that specify the weight to be assigned to each criterion under sub. (3) and the minimum number of criteria under sub. (3) in which an applicant must perform satisfactorily in order to be awarded a grant. In specifying the weight to be assigned to the criteria under sub. (3), the department shall assign the greatest weight to the criterion under sub. (3) (k). The department shall promulgate a rule specifying the types of projects that qualify as a shoreline enhancement project under this section.

**SECTION 854.** 30.50 (4a) of the statutes is created to read:

30.50 **(4a)** "Expedited service" means a process under which a person is able to renew a certificate of number or a certificate of registration in person and with only one appearance at the site where certificates are renewed.

**SECTION 855.** 30.52 (1m) of the statutes is created to read:

30.52 **(1m)** RENEWALS. (a) *Agents.* For the renewal of certificates of number or certificates of registration, the department may do any of the following:

1. Directly renew the certificates.

2. Appoint, as an agent of the department, the clerk of one or more counties to renew the certificates.

3. Appoint persons who are not employes of the department to renew the certificates as agents of the department.

(b) *Agent activities.* 1. The clerk of any county appointed under par. (a) 2. may accept the appointment.

2. The department may promulgate rules regulating the activities of persons appointed under par (a) 2. and 3.

(c) *Expedited service.* The department may establish an expedited service to be provided by the department and agents appointed under par. (a) 2. or 3. for the renewal of certificates of number or certificates of registration.

(d) *Fees.* In addition to the applicable renewal fee under sub. (3), the department may authorize that a supplemental renewal fee of $3 be collected for the renewal of certificates of number or certificates of registration that are renewed in any of the following manners:

1. By agents appointed under par. (a) 2. or 3.

2. By the department using the expedited service.

(e) *Remittal of fees.* An agent appointed under par. (a) 2. or 3. shall remit to the department $2 of each $3 fee collected under par. (d). Any fees remitted to or collected by the department under par. (d) shall be credited to the appropriation account under s. 20.370 (9) (hu).

**SECTION 856.** 30.52 (2) of the statutes is amended to read:

30.52 **(2)** CERTIFICATION AND REGISTRATION PERIOD. The certification and registration period runs for ~~2~~ 3 years, commencing on April 1 of the year in which the certificate of number or registration is issued and, unless sooner terminated or discontinued in accordance with this chapter, expiring on March 31 of the ~~2nd~~ 3rd year after issuance. A certificate of number or registration is valid only for the period for which it is issued.

**SECTION 857.** 30.52 (3) (b) of the statutes is amended to read:

30.52 **(3)** (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of a certificate of number for a boat less than 16 feet in length is ~~$11~~ $16.50.

**SECTION 858.** 30.52 (3) (c) of the statutes is amended to read:

30.52 **(3)** (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the issuance or renewal of a certificate of number for a boat 16 feet or more but less than 26 feet in length is ~~$16~~ $24.

**SECTION 859.** 30.52 (3) (d) of the statutes is amended to read:

30.52 **(3)** (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the issuance or renewal of a certificate of number for a boat 26 feet or more but less than 40 feet in length is ~~$30~~ $45.

**SECTION 860.** 30.52 (3) (e) of the statutes is amended to read:

30.52 **(3)** (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal of a certificate of number for a boat 40 feet or more in length is ~~$50~~ $75.

**SECTION 861.** 30.52 (3) (f) of the statutes is amended to read:

30.52 **(3)** (f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e), the fee for the issuance or renewal of a certificate of number for a sailboat which is not a motorboat is ~~$10~~ $15.

**SECTION 862.** 30.52 (3) (fm) of the statutes is amended to read:

30.52 **(3)** (fm) *Fee for voluntarily registered boats.* Notwithstanding pars. (b) to (f), the fee for issuance or renewal of registration for a boat registered pursuant to sub. (1) (b) 1m. is ~~$6.50~~ $9.75.

**SECTION 863.** 30.52 (3) (h) of the statutes is amended to read:

30.52 **(3)** (h) *Fee for issuance upon transfer of ownership.* Notwithstanding pars. (b) to (g), the fee for the issuance of a certificate of number or registration to the new owner upon transfer of ownership of a boat certified or registered under this chapter by the previous owner is ~~$2.50~~ $3.75 if the certificate of number or registration is issued for the remainder of the certification and registration period for which the previous certificate of number or registration was issued.

**SECTION 864.** 30.52 (3) (i) of the statutes is amended to read:

30.52 **(3)** (i) *Fleet fees.* A person owning or holding 3 or more boats may, at the person's option, pay a fleet rate for these boats instead of the fees which otherwise would be payable under pars. (b) to (g). Notwithstanding pars. (b) to (g), the fee for the issuance or renewal of certificates of number or registrations for boats under the fleet rate is ~~$18~~ $27 plus 50% of the fees which would otherwise be applicable for the boats under pars. (b) to (g).

**SECTION 865.** 30.52 (3) (im) of the statutes, as created by 1997 Wisconsin Act 198, is amended to read:

30.52 **(3)** (im) *Dealer or manufacturer fees.* A manufacturer or dealer in boats may, at the manufacturer's or dealer's option, pay a fee of ~~$50~~ $75 for the issuance or renewal of a certificate of number.

**SECTION 865d.** 30.52 (3e) of the statutes is created to read:

30.52 **(3e)** SURCHARGES. A person who applies for the issuance or renewal of a certificate of number or registration for a motorboat to which sub. (3) (b), (c), (d), (e) or (g) applies shall pay the department a surcharge in addition to the fee under sub. (3). The amount of the surcharge shall be determined by the department by rule and shall be based on the horsepower of the engine of the motorboat covered by the application. The surcharge that is determined by the department for a motorboat less than 16 feet in length may not exceed an amount equal to the amount of the fee for the issuance or renewal of a certificate of number or registration for the motorboat under sub. (3).

**SECTION 866.** 30.74 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 198, is amended to read:

30.74 **(1)** (b) The department shall prescribe the course content~~,~~ and the form of the certificate ~~and may collect a fee from each person who enrolls in the course. The department may authorize instructors~~. An instructor conducting ~~such courses meeting standards established by it to retain~~ a course under this subsection shall collect the instruction fee from each person who receives instruction. The department may determine the portion of ~~the~~ this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred ~~locally to operate the program~~ by the instructor in conducting the course. The instructor shall remit the remainder of the fee ~~shall be retained by~~ or, if nothing is retained, the entire fee to the department ~~for the purpose of defraying a part of its expenses incurred to operate the program~~. The department by rule shall set the fee for the course ~~and the amount of the fee that may be retained by instructors~~.

**SECTION 867j.** 30.77 (3) (dm) 1. of the statutes is renumbered 30.77 (3) (dm) 1. (intro.) and amended to read:

30.77 **(3)** (dm) 1. (intro.) In this paragraph~~, "local~~:

b. "Local entity" means a city, village, town, county, qualified lake association, as defined in s. 281.68 (1) (b), nonprofit conservation organization, as defined in s. 23.0955 (1), town sanitary district, public inland lake protection and rehabilitation district or another local governmental unit, as defined in s. 66.299 (1) (a), that is established for the purpose of lake management.

**SECTION 867m.** 30.77 (3) (dm) 1. a. of the statutes is created to read:

30.77 **(3)** (dm) 1. a. "Boating organization" means a nonstock corporation organized under ch. 181 whose primary purpose is to promote boating activities.

**SECTION 867p.** 30.77 (3) (dm) 2. (intro.) of the statutes is renumbered 30.77 (2) (dm) 2. and amended to read:

30.77 **(2)** (dm) 2. If the department or a local entity objects to an ordinance enacted under par. (a), (ac) 2. or (am) 1. b., on the grounds that all or a portion of the ordinance is contrary to or inconsistent with this chapter, ~~all of the following apply:~~ the procedure under subd. 2r. shall apply.

**SECTION 867s.** 30.77 (3) (dm) 2. a. of the statutes is renumbered 30.77 (3) (dm) 2r. a. and amended to read:

30.77 **(3)** (dm) 2r. a. Upon receipt of an objection under ~~this subdivision~~ subd. 2. or 2g., the department shall order a hearing on the objection under ch. 227. The hearing shall be a contested case hearing, and the administrator of the division of hearings and appeals in the department of administration shall assign a hearing examiner to the hearing as provided in s. 227.43. Persons who are not parties to the contested case may present testimony and evidence at the hearing.

**SECTION 867v.** 30.77 (3) (dm) 2. b. of the statutes is renumbered 30.77 (3) (dm) 2r. b. and amended to read:

30.77 **(3)** (dm) 2r. b. The hearing examiner shall issue an order on the objection within 90 days after the date on which the hearing is ordered under subd. ~~2.~~ 2r. a. ~~If~~

c. For an objection under subd. 2., if the hearing examiner determines that the ordinance or the portion of the ordinance is contrary to or inconsistent with this chapter, the hearing examiner shall issue an order declaring the ordinance or that portion of the ordinance void. ~~The~~ For an objection under subd. 2g., if the hearing examiner determines that the ordinance or the portion of the ordinance is not necessary for public health, safety, welfare or the public's interest in preserving the state's natural resources, the hearing examiner shall issue an order declaring the ordinance or that portion of the ordinance void. An order issued under this subd. 2r.

c. shall prohibit the enforcement of all or any portion of the ordinance declared to be void.

**SECTION 867x.** 30.77 (3) (dm) 2g. of the statutes is created to read:

30.77 **(3)** (dm) 2g. If a local entity or an boating organization objects to an ordinance enacted under par. (a) that applies to a river or stream, or to an ordinance enacted under par. (b), on the grounds that all or a portion of the ordinance is not necessary for public health, safety, welfare or the public's interest in preserving the state's natural resources, the procedure under subd 2r. shall apply.

**SECTION 867xm.** 30.92 (4m) of the statutes is repealed.

**SECTION 867y.** 31.309 (title) of the statutes is amended to read:

**31.309** (title) **Portage levee system and canal.**

**SECTION 867z.** 31.309 (1) (am) of the statutes is created to read:

31.309 **(1)** (am) The city of Portage may use any amounts from the grant awarded under par. (a) for the renovation and repair of the Portage canal.

**SECTION 868.** 31.385 (title) of the statutes is amended to read:

**31.385** (title) **Dam ~~maintenance, repair, modification, abandonment and removal~~ safety; aid program.**

**SECTION 869b.** 31.385 (1) of the statutes is renumbered 31.385 (1m) (intro.) and amended to read:

31.385 **(1m)** (intro.) The department shall promulgate the rules necessary to administer a financial assistance program for ~~municipalities and public inland lake protection and rehabilitation districts for dam maintenance, repair, modification, abandonment and removal.~~ dam safety projects under which financial assistance shall be provided as follows:

**SECTION 870b.** 31.385 (1b) of the statutes is created to read:

31.385 **(1b)** In this section:

(a) "Dam safety project" means the maintenance, repair, modification, abandonment or removal of a dam to increase its safety or any other activity that will increase the safety of a dam.

(b) "Small dam" means a dam that is less than 15 feet high and that creates an impoundment of 100 surface acres of water or less.

**SECTION 870m.** 31.385 (1m) (a) of the statutes is created to read:

31.385 **(1m)** (a) To municipalities and public inland lake protection and rehabilitation districts for any type of dam safety projects.

**SECTION 870p.** 31.385 (1m) (b) of the statutes is created to read:

31.385 **(1m)** (b) To private owners for the removal of small dams.

**SECTION 870r.** 31.385 (1m) (c) of the statutes is created to read:

31.385 **(1m)** (c) To any persons for the removal of abandoned dams.

**SECTION 871.** 31.385 (2) (intro.) of the statutes is amended to read:

31.385 **(2)** (intro.) The following standards shall apply to financial assistance under this section for dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects:

**SECTION 872b.** 31.385 (2) (a) of the statutes is renumbered 31.385 (2) (a) 1. and amended to read:

31.385 **(2)** (a) 1. ~~State~~ Except as provided in subd. 2., financial assistance for a dam safety project is limited to no more than 50% of the cost of ~~a particular project involving dam maintenance, repair, modification, abandonment or removal and no more than $200,000 of state financial assistance for a particular~~ the project.

**SECTION 872e.** 31.385 (2) (a) 2. of the statutes is created to read:

31.385 **(2)** (a) 2. A project to remove an abandoned dam shall not be subject to the 50% cost limit under subd. 1.

**SECTION 872g.** 31.385 (2) (a) 3. of the statutes is created to read:

31.385 **(2)** (a) 3. Financial assistance is limited to no more than $200,000 for each dam safety project.

**SECTION 873b.** 31.385 (2) (ag) of the statutes is amended to read:

31.385 **(2)** (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least $250,000 shall be used for projects to remove small dams ~~that are less than 15 feet wide and that create impoundments of 50 acre–feet of water or less~~. A project ~~under this paragraph~~ to remove a small dam may include restoring the stream or river that was dammed.

**SECTION 874.** 31.385 (2) (bm) of the statutes is created to read:

31.385 **(2)** (bm) The department may provide financial assistance for an activity other than the maintenance, repair, modification, abandonment or removal of the dam only if the cost of that activity will be less than the cost of the maintenance, repair, modification or removal of the dam.

**SECTION 875.** 31.385 (2) (c) (intro.) of the statutes is amended to read:

31.385 **(2)** (c) (intro.) No financial assistance may be provided under this section for ~~the maintenance, repair, modification, abandonment or removal of~~ a dam safety project unless at least one of the following applies:

**SECTION 876.** 31.385 (2) (c) 1. of the statutes is amended to read:

31.385 **(2)** (c) 1. The department conducts an investigation or inspection of the dam under this chapter and the owner of the dam requests financial assistance under this section within 6 months after having received department directives, based on the department's investigation or inspection of the dam, for the repair, modification

or abandonment and removal of the dam or for another activity to increase the safety of the dam.

**SECTION 876g.** 31.385 (2) (c) 2. of the statutes is amended to read:

31.385 **(2)** (c) 2. The municipality ~~or~~, public inland lake protection and rehabilitation district or other person applying for state financial assistance under this section has received directives from the department or is under order by the department to maintain, repair, modify, abandon or remove a dam on August 9, 1989.

**SECTION 877b.** 31.385 (3) of the statutes is amended to read:

31.385 **(3)** The department shall provide municipalities ~~and~~, public inland lake protection and rehabilitation districts and other persons receiving state financial assistance under this section with technical assistance ~~in conducting dam maintenance, repair, modification, abandonment and removal~~ for dam safety projects under this section. The department shall coordinate the financial assistance program under this section with other related state and federal programs.

**SECTION 886.** 36.11 (6) (b) of the statutes is amended to read:

36.11 **(6)** (b) The board may not make a grant under par. (a) to a person ~~if it receives a certification under s. 49.855 (7) that the person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 887.** 36.11 (36) of the statutes is created to read:

36.11 **(36)** AQUACULTURE DEMONSTRATION FACILITY. The board shall operate the aquaculture demonstration facility authorized under 1999 Wisconsin Act .... (this act), section 9107 (1) (i) 3.

**SECTION 887m.** 36.11 (37) of the statutes is created to read:

36.11 **(37)** EXTENSION LOCAL PLANNING PROGRAM. The board shall offer a local planning program through the extension to educate local policymakers about local planning and the grant program under s. 16.965.

**SECTION 887r.** 36.11 (38) of the statutes is created to read:

36.11 **(38)** STUDY OF PROGRAMS IN MARATHON COUNTY. The board shall study the feasibility of expanding the offering of 4–year and graduate degree programs in Marathon County when sufficient private funds or funds from a municipality, as defined in s. 67.01 (5), have been raised to pay for the study. The board shall submit a copy of the report under this subsection to the governor, and to the legislature under s. 13.172 (2).

**SECTION 888e.** 36.25 (5) (a) of the statutes is amended to read:

36.25 **(5)** (a) The board of regents, as licensee, shall, except as provided in an agreement entered into under par. (c) 2., manage, operate and maintain broadcasting station WHA and WHA–TV and shall enter into an affiliation agreement with the educational communications board pursuant to s. 39.14. Except as provided under par. (b), ~~the~~ an affiliation agreement under this paragraph shall provide that the board of regents shall grant the educational communications board the part–time use of equipment and space necessary for the operations of the state educational radio and television networks. The board of regents shall maintain a separate account for each revenue source for broadcasting station WHA and for WHA–TV which permits identification of the functions or activities for which

expenditures are made. The board of regents shall maintain annual records of its expenditures for programming purposes by type of programming and by source of revenue.

**SECTION 888m.** 36.25 (5) (c) of the statutes is created to read:

36.25 **(5)** (c) 1. In this paragraph:

a. "Broadcasting corporation" has the meaning given in s. 39.81 (2).

b. "Broadcasting station" means any broadcast station for which the board of regents holds a license.

2. No later than the first day of the 12th month beginning after the effective date of this subdivision .... [revisor inserts date], the board of regents may enter into an agreement with the broadcasting corporation that requires the board of regents to do each of the following:

a. Allow the broadcasting corporation to operate any broadcasting station that is specified in the agreement.

b. Grant the broadcasting corporation operational control over any facility or asset of the board of regents that is necessary for the operation of a broadcasting station specified in subd. 2. a., except that the agreement may provide for joint use by the board of regents and the broadcasting corporation of any production facility and the agreement shall provide for the joint use by the board of regents and the broadcasting corporation of one and only one television broadcasting network facility.

c. Maintain the facilities and assets that are necessary for the operation of each broadcasting station, including a broadcasting station specified in subd. 2. a.

d. Retain the license for each broadcasting station.

e. Provide administrative services to the broadcasting corporation that are necessary for the broadcasting corporation to operate the broadcasting stations specified in subd. 2. a.

f. Provide assistance in developing and delivering elementary and secondary school educational programming. Any assistance provided under this subd. 2. f. shall be provided at no cost to private and public elementary and secondary schools.

3. An agreement under subd. 2. shall satisfy each of the following:

a. The agreement shall remain in effect until the maturity date of any public debt issued under s. 13.48 (31) (c).

b. The agreement shall ensure that the board of regents has access to broadcasting facilities and air time that is equal to or greater then the access of the board of regents prior to the effective date of this subdivision 3. b. .... [revisor inserts date].

4. An agreement under subd. 2. may specify the terms, if any, for the broadcasting corporation to compensate the board of regents or for the board of regents to compensate the broadcasting corporation for taking an action specified in subd. 2. a. to e.

5. An agreement under subd. 2. may not take effect without the approval of the secretary of administration.

6. This paragraph does not apply unless the secretary of administration determines under s. 39.88 (1) that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation.

**SECTION 888s.** 36.25 (5) (d) of the statutes is created to read:

36.25 **(5)** (d) At the request of the transitional board, as defined in s. 39.81 (7), the board of regents shall, at no charge to the transitional board, provide staff and legal, administrative and technical assistance for the transitional board to carry out the duties under s. 39.82.

**SECTION 889.** 36.25 (14) of the statutes is amended to read:

36.25 **(14)** GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant program for minority and disadvantaged graduate students enrolled in the system. The grants shall be awarded from the appropriation under s. 20.285 (4) (b). The board shall give preference in awarding grants under this subsection to residents of this state. The board may not make a grant under this subsection to a person ~~if it receives a certification under s. 49.855 (7) that the person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 890m.** 36.25 (29g) of the statutes is created to read:

36.25 **(29g)** The board shall establish in the college of natural resources at the University of Wisconsin–Stevens Point a center to conduct studies and research relating to watershed management.

**SECTION 891.** 36.25 (30) of the statutes is amended to read:

36.25 **(30)** ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION ~~PROGRAM~~. The board shall ~~establish~~ maintain in the extension a ~~hazardous pollution prevention program~~ solid and hazardous waste education center to promote ~~hazardous~~ pollution prevention, as defined in s. 299.13 (1) ~~(c)~~ (dm). In cooperation with the department

of natural resources and the department of commerce, the ~~program~~ center shall conduct an education and technical assistance program to promote ~~hazardous~~ pollution prevention in this state.

**SECTION 893.** 36.27 (4) (a) of the statutes is amended to read:

36.27 **(4)** (a) In the 1993–94 to ~~1998–99~~ 2000–01 academic years, the board may annually exempt from nonresident tuition, but not from incidental or other fees, up to 200 students enrolled at the University of Wisconsin–Parkside as juniors or seniors in programs identified by that institution as having surplus capacity and up to 150 students enrolled at the University of Wisconsin–Superior in programs identified by that institution as having surplus capacity.

**SECTION 894.** 36.34 (1) (b) of the statutes is amended to read:

36.34 **(1)** (b) The board shall establish a grant program for minority undergraduates enrolled in the system. The board shall designate all grants under this subsection as Lawton grants. Grants shall be awarded from the appropriation under s. 20.285 (4) (dd). The board may not make a grant under this subsection to a person ~~if it receives a certification under s. 49.855 (7) that the person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 895.** 36.34 (2) of the statutes is repealed.

**SECTION 895m.** 36.36 of the statutes is created to read:

**36.36 Grants for study abroad.** From the appropriation under s. 20.285 (1) (er), the board shall award a grant of $2,000 to a resident undergraduate student to

assist in paying the costs associated with the student's study abroad if the student satisfies all of the following criteria:

**(1)** The student demonstrates financial need for the grant, as determined by the board.

**(2)** The student is enrolled full–time in the system in the semester preceding the student's study abroad.

**(3)** The student is enrolled in a program leading to an associate or bachelor's degree.

**SECTION 895t.** 38.04 (10) (d) of the statutes is created to read:

38.04 **(10)** (d) 1. In consultation with representatives of business and labor, the board shall develop a separate approval process for district board proposals to purchase or construct facilities to be used as applied technology centers under s. 38.15 (3) (c). The board may not approve a proposal unless the board determines that all of the following apply:

a. The applied technology center is likely to maintain or increase the number of jobs in the region served by the center that require a high level of skill and provide high wages.

b. The productivity of employes who would be served by the center is likely to increase.

c. One or more businesses in the region served by the center will pay for all of the direct costs of operating the center and at least 20% of the indirect costs of operating the center, and will fund, either in cash or in kind, at least 30% of the capital costs of the center.

2. By December 1 of the year in which a center approved under subd. 1. begins operating, and annually thereafter by December 1, the district board shall report to

the board the change, since the center began operating, in the wages, productivity and level of skill of the employes who have been directly served by the center.

**SECTION 896.** 38.04 (18) of the statutes is created to read:

38.04 **(18)** STATEWIDE GUIDE. Annually, the board shall produce, and distribute to students, parents, high school personnel and others, a guide containing information on all of the technical colleges and their programs.

**SECTION 897b.** 38.125 of the statutes is renumbered 38.125 (3) and amended to read:

38.125 **(3)** If the district board ~~governing the Milwaukee area technical college~~ determines to relinquish its public broadcasting licenses, it shall, subject to the approval of the federal communications commission, offer to assign the licenses to the educational communications board, ~~subject to approval of the federal communications commission~~ or, if the secretary of administration determines under s. 39.88 (1) that all the broadcasting licenses held by the educational communications board have been transferred to the broadcasting corporation, to the broadcasting corporation.

**SECTION 897c.** 38.125 (1) of the statutes is created to read:

38.125 **(1)** In this section:

(a) "District board" means the district board governing the Milwaukee Area Technical College.

(b) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

(c) "Broadcasting station" means any broadcast station for which the district board holds a license.

**SECTION 897d.** 38.125 (2) of the statutes is created to read:

38.125 **(2)** (a) No later than the first day of the 12th month beginning after the effective date of this paragraph .... [revisor inserts date], the district board may enter into an agreement with the broadcasting corporation that requires the district board to do each of the following:

1. Allow the broadcasting corporation to operate any broadcasting station that is specified in the agreement.

2. Grant the broadcasting corporation operational control over any facility or asset of the district board that is necessary for the operation of a broadcasting station specified in subd. 1., except that the agreement may provide for joint use by the district board and the broadcasting corporation of any production facility and the agreement shall provide for the joint use by the district board and the broadcasting corporation of one and only one television broadcasting network facility located in a 1st class city.

3. Maintain the facilities and assets that are necessary for the operation of each broadcasting station, including a broadcasting station specified in subd. 1.

4. Retain the license for each broadcasting station.

(b) An agreement under par. (a) shall satisfy each of the following:

1. The agreement shall remain in effect until the maturity date of any public debt issued under s. 13.48 (31) (d).

2. The agreement shall ensure that the district board has access to broadcasting facilities and air time that is equal to or greater than the access of the district board prior to the effective date of this subdivision .... [revisor inserts date].

(c) An agreement under par. (a) may specify the terms, if any, for the broadcasting corporation to compensate the district board or for the district board to compensate the broadcasting corporation for taking an action specified in par. (a).

(d) An agreement under par. (a) may not take effect without the approval of the secretary of administration.

(e) This subsection does not apply unless the secretary of administration determines under s. 39.88 (1) that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation.

**SECTION 897e.** 38.15 (3) of the statutes is renumbered 38.15 (3) (intro.) and amended to read:

38.15 **(3)** (intro.) This section ~~applies to building~~ does not apply to any of the following:

(a) Building program actions approved by the board ~~after January 31, 1980. This section does not apply to building~~ before February 1, 1980.

(b) Building remodeling or improvement projects.

**SECTION 897em.** 38.15 (3) (c) of the statutes is created to read:

38.15 **(3)** (c) A capital expenditure to purchase or construct a facility to be used as an applied technology center if all of the following apply:

1. The district board adopts a resolution stating its intention to make a capital expenditure under this paragraph.

2. The board approves the proposal under s. 38.04 (10) (d) 1.

3. The capital expenditure is made before January 1, 2002.

4. The total amount of capital expenditures made by the district board under this paragraph does not exceed $5,000,000.

**SECTION 897m.** 38.15 (5) of the statutes is renumbered 38.15 (3) (d) and amended to read:

38.15 **(3)** (d) ~~This section does not apply to the~~ The acquisition of a building as a result of a lease under s. 38.14 (2) (d) 2. if the district makes no cash expenditure to acquire the building.

**SECTION 898.** 38.28 (1m) (a) 1. of the statutes is amended to read:

38.28 **(1m)** (a) 1. "District aidable cost" means the annual cost of operating a technical college district, including debt service charges for district bonds and promissory notes for building programs or capital equipment, but excluding all expenditures relating to auxiliary enterprises and community service programs, all expenditures funded by or reimbursed with federal revenues, all receipts under ~~subs.~~ sub. (6) ~~and (7)~~ and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and 146.55 (5), all receipts from grants awarded under ss. 38.04 (8) and (20), 38.14 (11), 38.26, 38.27, 38.33 and 38.38, all fees collected under s. 38.24 and driver education and chauffeur training aids.

**SECTION 899.** 38.28 (2) (b) 5. of the statutes is created to read:

38.28 **(2)** (b) 5. The board shall reduce each district's aid payment under subd. 2. by the district's share of the amount necessary to produce and distribute the statewide guide under s. 38.04 (18), as determined by the board.

**SECTION 900.** 38.28 (3) of the statutes is amended to read:

38.28 **(3)** ~~If the appropriation for state aid under s. 20.292 (1) (d) in any one year is insufficient to pay the full amount under sub. (2), state aid payments shall be prorated among the districts entitled thereto.~~ If the appropriation for state aid under s. 20.292 (1) (fc) in any one year is insufficient to pay the full amount under subs. (2) (c) and (g), funds in the appropriation shall be used first for the purposes of sub. (2) (c) and any remaining funds shall be prorated among the districts entitled to support under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) (fc) in any one

year is insufficient to pay the full amount under sub. (2) (c), funds in the appropriation shall be prorated among the districts entitled to the funds.

**SECTION 901.** 38.28 (7) of the statutes is repealed.

**SECTION 902.** 38.42 (4) of the statutes is amended to read:

38.42 **(4)** RETRAINING FUND. (a) A consortium of telecommunications companies shall agree to contribute $3,000,000 to the telecommunications retraining fund over a 3–year period beginning on July 20, 1994. If the retraining fund is depleted within 3 years and if requested by the telecommunications retraining board, the consortium shall contribute up to an additional $1,000,000.

(c) Moneys contributed under this subsection shall be credited to the appropriation under s. 20.292 (1) (gt).

**SECTION 903.** 38.42 (4) (b) of the statutes is created to read:

38.42 **(4)** (b) If the telecommunications retraining board determines that additional contributions from telecommunications companies are necessary to fund grants awarded under this section in the 1999–2000 fiscal year, the consortium shall contribute additional amounts determined by the telecommunications retraining board.

**SECTION 904.** 38.42 (6) of the statutes is amended to read:

38.42 **(6)** SUNSET. This section does not apply after June 30, ~~1999~~ 2000.

**SECTION 905c.** 39.10 of the statutes is created to read:

**39.10 Definitions.** In this subchapter:

**(1)** "Broadcasting corporation" has the meaning given in s. 39.81 (2).

**(2)** "Fund–raising corporation" means the corporation organized under s. 39.12 (1).

**(3)** "Transitional board" has the meaning given in s. 39.81 (7).

**SECTION 905g.** 39.11 (intro.) of the statutes is amended to read:

**39.11 Educational communications board; duties.** (intro.) ~~The~~ Except as provided in a contract entered into under s. 39.115 (4), the educational communications board shall do each of the following:

**SECTION 905L.** 39.11 (22) of the statutes is created to read:

39.11 **(22)** At the request of the transitional board and at no charge to the transitional board, provide staff and legal, administrative and technical assistance for the transitional board to carry out the duties under s. 39.82.

**SECTION 905p.** 39.115 (4) of the statutes is created to read:

39.115 **(4)** Contract with the broadcasting corporation to manage, operate and maintain any public broadcasting station for which the educational communications board holds a license.

**SECTION 905t.** 39.12 of the statutes is amended to read:

**39.12 ~~Nonstock~~ Fund–raising corporation. (1)** The educational communications board may organize and maintain a nonstock nonprofit corporation under ch. 181 for the exclusive purpose of raising funds for the educational communications board to support the activities of the educational communications board. Any funds raised by the fund–raising corporation shall be expended to carry out the purposes for which received.

**(2)** The educational communications board shall enter into a contract with the fund–raising corporation ~~under sub. (1)~~. The contract shall provide that the educational communications board may make use of the services of the fund–raising corporation and that the educational communications board may provide administrative services to the fund–raising corporation. The type and scope of any administrative services provided by the educational communications board to the

fund–raising corporation and the educational communications board employes assigned to perform the services shall be determined by the educational communications board. The fund–raising corporation may neither employ staff nor engage in political activities.

**(2m)** The fund–raising corporation ~~under sub. (1)~~ shall donate any real property to the state within 5 years after acquiring the property unless holding the property for more than 5 years is consistent with sound business and financial practices and is approved by the joint committee on finance.

**(3)** The educational communications board, the department of administration, the legislative fiscal bureau, the legislative audit bureau and the appropriate committee of each house of the legislature, as determined by the presiding officer, may examine all records of the fund–raising corporation.

**(4)** The board of directors of ~~any~~ the fund–raising corporation ~~established under this section~~ shall consist of 5 members, including the executive director of the educational communications board and 4 members of the educational communications board, elected by the educational communications board, of which one shall be a legislator. No 2 members of the board of directors may be from the same category of educational communications board members under s. 15.57 (1) (a) to ~~(7)~~ (h).

**(5)** ~~Any~~ The fund–raising corporation ~~established under this section~~ shall be organized so that contributions to it will be deductible from adjusted gross income under section 170 of the internal revenue code and so that the fund–raising corporation will be exempt from taxation under section 501 of the internal revenue code and ss. 71.26 (1) (a) and 71.45 (1).

**SECTION 905x.** 39.15 of the statutes is created to read:

**39.15 Applicability.** If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, this subchapter does not apply on and after the effective date of the last license transferred as determined by the secretary under s. 39.88 (2).

**SECTION 907.** 39.285 (3) of the statutes is amended to read:

39.285 **(3)** By April 10, 1998, and annually thereafter, each tribally controlled college in this state is requested to develop and submit to the board for its review under sub. (1) a proposed formula for the awarding of grants under s. ~~39.30~~ 39.435, except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year to students enrolled at that tribally controlled college.

**SECTION 908.** 39.30 (2) (intro.) of the statutes is amended to read:

39.30 **(2)** ELIGIBILITY. (intro.) A resident student enrolled at least half–time and registered as a freshman, sophomore, junior or senior in an accredited, nonprofit, ~~post high~~ post–high school, educational institution in this state ~~or in a tribally controlled college in this state~~ shall be eligible for grants under this section for each semester of attendance, but:

**SECTION 909.** 39.30 (2) (e) of the statutes is amended to read:

39.30 **(2)** (e) The board may not make a grant to a student ~~if the board receives a certification under s. 49.855 (7) that the student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 910.** 39.30 (2) (f) of the statutes is amended to read:

39.30 **(2)** (f) No grants may be awarded under this section unless the ~~applicable~~ formula submitted under s. 39.285 (2) ~~or (3)~~ is approved or modified by the board under s. 39.285 (1).

**SECTION 911.** 39.30 (3) (g) of the statutes is repealed.

**SECTION 912.** 39.38 (2) of the statutes is amended to read:

39.38 **(2)** Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed $2,200 per year, of which not more than $1,100 may be from the appropriation under s. 20.235 (1) ~~(fb)~~ (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be awarded to students for full–time or part–time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student if the board receives a certification under s. 49.855 (7) that the student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses. Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

**SECTION 912c.** 39.38 (2) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

39.38 **(2)** Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed $2,200 per year, of which not more than $1,100 may be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation may be matched by a contribution from a federally

recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be awarded to students for full–time or part–time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student ~~if the board receives a certification under s. 49.855 (7) that the student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

**SECTION 913m.** 39.41 (1m) (d) of the statutes is amended to read:

39.41 **(1m)** (d) ~~By~~ Except as provided in par. (dm), by February 15 of each school year, if 2 or more seniors from the same high school of at least 80 pupils have the same grade point average and, except for the limitation on the number of designated scholars, are otherwise eligible for designation under par. (a), the faculty of the high school shall select the applicable number of seniors for designation under par. (a) as scholars and shall certify, in order of priority, any remaining seniors as alternates for a scholar with the same grade point average. If a senior from that high school designated as a scholar under par. (a) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same grade point average as any senior from that high school designated as a scholar under par. (a) shall be eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

**SECTION 913mr.** 39.41 (1m) (dm) of the statutes is created to read:

39.41 **(1m)** (dm) If the high school weights different courses differently to determine a pupil's grade point average, the faculty of the high school shall select for each scholar designated under par. (d) a senior with the same grade point average as an alternate for the scholar, or, if there is not another pupil with the same grade point average, a senior with the next highest grade point average as an alternate for the scholar.

**SECTION 913ms.** 39.41 (1m) (e) of the statutes is amended to read:

39.41 **(1m)** (e) ~~If~~ Except as provided under par. (em), if 2 or more seniors from the same high school of less than 80 pupils have the same grade point average and, except for the limitation of one nominated senior, are otherwise eligible for nomination under par. (b), the faculty of the high school shall select the senior who may be nominated by the school board of the school district operating the public high school or the governing body of the private high school for designation under par. (b) as a scholar by the executive secretary. If that senior is designated as a scholar by the executive secretary and does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or more of the remaining seniors with the same grade point average for certification as a scholar and the school board of the school district operating the high school or the governing body of the private high school shall certify to the board one or more of these seniors as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

**SECTION 913mt.** 39.41 (1m) (em) of the statutes is created to read:

39.41 **(1m)** (em) If the high school weights different courses differently to determine a pupil's grade point average, and the senior designated as a scholar by

the executive secretary under par. (e) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one senior with the same grade point average for certification as a scholar, or, if there is no senior with the same grade point average, one senior with the next highest grade point average for certification as a scholar, and the school board of the school district operating the high school or the governing body of the private high school shall certify to the board the selected senior as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

**SECTION 915.** 39.435 (1) of the statutes is amended to read:

39.435 **(1)** There is established, to be administered by the board, a higher education grant program for postsecondary resident students enrolled at least half–time and registered as freshmen, sophomores, juniors or seniors in accredited institutions of higher education or in tribally controlled colleges in this state. Except as authorized under sub. (5), such grants shall be made only to students enrolled in nonprofit public institutions or tribally controlled colleges in this state.

**SECTION 916.** 39.435 (4) (a) of the statutes is amended to read:

39.435 **(4)** (a) The board shall ~~promulgate rules establishing policies and procedures for determining dependent and independent status and for the calculation of~~ award grants under this section based on a formula that accounts for expected parental and student contributions~~. The rules shall be~~ and is consistent with generally accepted definitions and nationally approved needs analysis methodology.

**SECTION 917.** 39.435 (4) (b) and (c) of the statutes are repealed.

**SECTION 918.** 39.435 (6) of the statutes is amended to read:

39.435 **(6)** The board may not make a grant under this section to a person if ~~the board receives a certification under s. 49.855 (7) that the person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 919.** 39.44 (4) of the statutes is amended to read:

39.44 **(4)** The board shall notify an institution or school receiving funds under sub. (2) if ~~the board receives a certification under s. 49.855 (7) that a student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ a student's name appears on the statewide support lien docket under s. 49.854 (2) (b). An institution or school may not award a grant under this section to a student if it receives a notification under this subsection concerning that student, unless the student provides to the institution or school a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 920.** 39.47 (2m) of the statutes is amended to read:

39.47 **(2m)** No resident of this state whose name appears on the statewide support lien docket under s 49.854 (2) (b) may receive a waiver of nonresident tuition under this section ~~if the board receives a certification under s. 49.855 (7) that the resident is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~, unless the resident provides to the board a payment agreement that has been approved by the county child support

agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 921m.** 39.51 (title) and (1) (a) to (d) of the statutes are renumbered 45.54 (title) and (1) (a) to (d).

**SECTION 923.** 39.51 (1) (e) of the statutes is renumbered 45.54 (1) (e) (intro.) and amended to read:

45.54 **(1)** (e) (intro.) "School" ~~means any person, located within or outside this state, maintaining, advertising or conducting any course or course of instruction for profit or a tuition charge; but in subs. (7), (8) and (10) "school"~~ means any private trade, correspondence, business or technical school ~~not excepted under sub. (9).~~, but does not include any of the following:

**SECTION 923m.** 39.51 (1) (f) and (g) of the statutes are renumbered 45.54 (1) (f) and (g).

**SECTION 925m.** 39.51 (2) to (8) of the statutes are renumbered 45.54 (2) to (8), and 45.54 (5), as renumbered, is amended to read:

45.54 **(5)** EMPLOYES, QUARTERS. The board shall employ a person to perform the duties of an executive secretary and such other persons under the classified service as may be necessary to carry out its purpose. The person performing the duties of the executive secretary shall be in charge of the administrative functions of the board. The board shall, to the maximum extent practicable, keep its office with the ~~higher educational aids board~~ department of veterans affairs.

**SECTION 927.** 39.51 (9) (title) and (intro.) of the statutes are repealed.

**SECTION 928.** 39.51 (9) (a) to (h) of the statutes are renumbered 45.54 (1) (e) 1. to 8.

**SECTION 929m.** 39.51 (10) of the statutes is renumbered 45.54 (10).

**SECTION 930m.** Subchapter V of chapter 39 [precedes 39.81] of the statutes is created to read:

**CHAPTER 39**

**SUBCHAPTER V**

**PUBLIC BROADCASTING**

**39.81 Definitions.** In this subchapter:

**(1)** "Association" means the Wisconsin Public Radio Association.

**(2)** "Broadcasting corporation" means the corporation specified in s. 39.82 (1).

**(3)** "Corporate board" means the board of directors of the broadcasting corporation.

**(4)** "Foundation" means the Wisconsin Public Broadcasting Foundation.

**(5)** "Friends group" means a nonstock, nonprofit corporation described under section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation under section 501 (a) of the Internal Revenue Code that is organized to raise funds for a public broadcasting television station in this state.

**(6)** "Secretary" means the secretary of administration.

**(7)** "Transitional board" means the public broadcasting transitional board.

**39.82 Transitional board duties.** The transitional board shall do each of the following:

**(1)** Draft and file articles of incorporation for a nonstock corporation under ch. 181 and take all actions necessary to exempt the corporation from federal taxation under section 501 (c) (3) of the Internal Revenue Code.

**(2)** Draft bylaws for adoption by the corporate board under s. 181.0206 (2). The bylaws shall specify the method for designating or appointing the directors of the corporate board. No later than March 15, 2000, the transitional board shall submit

a report to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) that includes and describes the bylaws drafted under this subsection.

**(3)** Prepare an application for submission by the corporate board to the federal communications commission to transfer all broadcasting licenses held by the educational communications board to the broadcasting corporation.

**(4)** Negotiate an agreement with the association for the transfer to the broadcasting corporation of funds raised by the association.

**(5)** Negotiate an agreement with each friends group in this state for the transfer to the broadcasting corporation of funds raised by the friends group.

**39.83 Transitional plan. (1)** The secretary of administration shall, after consulting with the corporate board, prepare a plan for submission to the joint committee on finance that specifies each of the following:

(a) The transfer of the unencumbered balances of the appropriations to the educational communications board to the broadcasting corporation.

(b) The transfer of positions and related funding from the educational communications board to the department of administration.

(c) The transfer of assets under s. 39.87 (2) to the broadcasting corporation.

**(2)** If the cochairpersons of the joint committee on finance do not notify the secretary of administration within 14 working days after the date of submittal of the plan under sub. (1) that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented as proposed. If, within 14 working days after the date of submittal of the plan under sub. (1), the cochairpersons of the committee notify the secretary of administration that the committee has scheduled

a meeting for the purpose of reviewing the proposed plan, the plan may be implemented only upon approval of the committee.

**(3)** If the joint committee on finance approves a transfer of unencumbered balances specified in sub. (1) (a) and (b), the joint committee on finance shall transfer the unencumbered balances to the appropriation accounts under ss. 20.218 (1) (a) and 20.505 (1) (c) and (kv).

**39.84 Duties of broadcasting corporation.** The broadcasting corporation shall do each of the following as a condition for receiving state aid under s. 20.218 (1) (a):

**(1)** Maintain a state system of radio broadcasting for the presentation of educational, informational and public service programs, formulate policies regulating the operation of such a state system and coordinate the public radio activities of the various educational and informational agencies, civic groups, and citizens having contributions to make to the public interest and welfare.

**(2)** Protect the public interest in educational television by maintaining educational television channels reserved for this state and take such action as is necessary to preserve such channels in this state for educational use.

**(3)** Maintain a comprehensive state plan for the orderly operation of a statewide television system for the presentation of noncommercial instructional programs that will serve the best interests of the people of the state now and in the future.

**(4)** Work with the educational agencies and institutions of the state as reviewer, adviser and coordinator of their joint efforts to meet the educational needs of the state through radio and television.

**(5)** Furnish leadership in securing adequate funding for statewide joint use of radio and television for educational and cultural purposes, including funding for media programming for broadcast over the state networks.

**(6)** Lease, purchase or construct radio and television facilities for joint use with state and local agencies, including facilities such as broadcast network and production facilities, network interconnection or relay equipment, mobile units, and other equipment available for statewide use.

**(7)** Maintain radio and television transmission equipment in order to provide broadcast service to all areas of this state.

**(8)** Establish and maintain a continuing evaluation of the effectiveness of the joint efforts of all participating educational institutions in terms of jointly established goals in the area of educational radio and television.

**(9)** Act as a central clearinghouse and source of information concerning educational radio and television activities in this state, including the furnishing of such information to legislators, offices of government, educational institutions and the general public.

**(10)** Provide educational programming for elementary and secondary schools in this state and transmit public radio and television to remote and underserved areas of the state.

**39.85 State aid. (1)** The broadcasting corporation may receive state aid under s. 20.218 (1) (a) if each of the following is satisfied:

(a) The articles of incorporation state that the purpose of the broadcasting corporation is to provide public broadcasting to this state and that, if the broadcasting corporation dissolves or discontinues public broadcasting in this state, the broadcasting corporation shall in good faith take all reasonable measures to

transfer or assign the broadcasting corporation's assets, licenses and rights to an entity whose purpose is to advance public broadcasting in this state.

(b) The broadcasting corporation initially adopts the bylaws drafted by the transitional board under s. 39.82 (2).

(c) The broadcasting corporation permits public inspection and copying of any record of the corporation, as defined in s. 19.32 (1), to the same extent as required of, and subject to the same terms and enforcement provisions that apply to, an authority under subch. II of ch. 19.

(d) The broadcasting corporation provides public access to its meetings to the same extent as is required of, and subject to the same terms and enforcement provisions that apply to, a governmental body under subch. V of ch. 19.

(e) The broadcasting corporation provides the secretary of administration or his or her designee and the employes of the legislative audit bureau and the legislative fiscal bureau with access to all of the broadcasting corporation's records, as defined in s. 19.32 (2), except records identifying the names of private donors.

(f) The broadcasting corporation carries out any obligation of the educational communications board under any contract entered into by the educational communications board that relates to the provision of public broadcasting in this state until the contract is modified or rescinded by the broadcasting corporation to the extent allowed under the contract.

**(2)** The secretary of administration shall pay aid under s. 20.218 (1) (a) to the broadcasting corporation in instalments, as determined by the secretary.

**39.86 Broadcasting corporation reports. (1)** No later than September 15 of each even–numbered year, in the form and content prescribed by the department of administration, the broadcasting corporation shall, as a condition of receiving

state aid under s. 20.218 (1) (a), prepare and forward to the department of administration and to the legislative fiscal bureau all of the following information regarding each program administered by the broadcasting corporation for which the broadcasting corporation is requesting state aid:

(a) A clear statement of the purpose or goal for each program.

(b) Clear statements of specific objectives to be accomplished and, as appropriate, the performance measures used by the broadcasting corporation to assess progress toward achievement of these objectives.

(c) Proposed plans to implement the objectives specified in par. (a) and the estimated resources needed to carry out the proposed plans.

(d) A statement of legislation required to implement proposed programmatic and financial plans.

(e) Any other fiscal or other information that the secretary of administration or the governor requires on forms prescribed by the secretary of administration.

**(2)** No later than December 1 of each year, the broadcasting corporation shall, as a condition of receiving state aid under s. 20.218 (1) (a), submit a report to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) that describes each of the following:

(a) Any use of state aid received by the broadcasting corporation for serving educational communities, diverse populations and rural and remote areas of the state, including a detailed itemization of the use of state aid.

(b) Any progress in advancing the transition to digital television and radio, distance education and other technological innovations.

(c) The status of federal funding, private donations, other private fund raising and any financially beneficial partnerships.

(d) The status of the broadcasting corporation's efforts to satisfy the duties specified in this subchapter.

**(3)** This section does not apply unless the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation.

**39.87 Transfer provisions. (1)** DEFINITIONS. In this section, "state office building" means the state office building located at 3319 West Beltline Highway in Dane County.

**(2)** ASSETS. (a) If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, each of the following applies:

1. Any asset of the state, other than the state office building and the assets specified in subd. 3., that is used by the educational communications board and that, as determined by the secretary of administration, is not a shared asset, as defined in s. 16.26 (1) (b), is transferred, subject to the approval of the joint committee on finance under s. 39.83 (2), to the broadcasting corporation. A transfer under this subdivision shall take effect on on the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

2. Subject to the approval of the joint committee on finance under s. 39.83 (2), the secretary of administration shall transfer title to the state office building from the state to the broadcasting corporation if the broadcasting corporation pays $476,228 to the foundation or the foundation waives such payment.

3. The assets of the state that, as determined by the secretary of administration, are used by educational communications board for the operation of an emergency weather warning system are transferred to the department of administration.

(b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the asset is not used for the purpose of providing public broadcasting.

**(3)** EDUCATIONAL COMMUNICATIONS BOARD FUNDS. Subject to the approval of the joint committee on finance under s. 39.83, if the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, each of the following applies on the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2):

(a) To the appropriation account under s. 20.218 (1) (a), there is transferred the unencumbered balance of the appropriation accounts under s. 20.225 (1) (a), (b), (d), (eg), (er) and (f), except for the unencumbered balance of the appropriation accounts that are otherwise transferred under sub. (4).

(b) To the appropriation account under s. 20.505 (5) (i), there is transferred the unencumbered balance of the appropriation account under s. 20.225 (1) (kb) and the amounts in the schedule for the appropriation account under s. 20.505 (5) (i) are increased by the amount transferred from the appropriation account under s. 20.225 (1) (kb).

(c) To the appropriation account under s. 20.505 (1) (kv), there is transferred the unencumbered balance of the appropriation accounts under s. 20.225 (1) (g), (h), (k) and (m), and, to the extent allowed under federal law, the secretary of

administration shall pay the broadcasting corporation a grant equal to the amount of the unencumbered balance of the appropriation account under s. 20.505 (1) (kv).

**(4)** POSITIONS. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, all positions authorized for the educational communications board and the incumbent employes holding the positions are transferred to the department of administration. Employes transferred under this subsection have all rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed in the educational communications board. Notwithstanding s. 230.28 (4), no employe so transferred who has attained permanent status in class may be required to serve a probationary period.

**(5)** DUTIES OF FORMER EDUCATIONAL COMMUNICATIONS BOARD EMPLOYES. All employes transferred to the department of administration under sub. (4) shall provide broadcasting services to the broadcasting corporation under a contract between the department of administration and the broadcasting corporation for such services. The contract shall provide that the services are to be provided to the broadcasting corporation at no charge to the broadcasting corporation.

**39.88 License transfer determination.** The secretary shall determine each of the following:

**(1)** Whether the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation.

**(2)** If the secretary determines that the federal communications commission has approved the transfer of all the broadcasting licences specified in sub. (1), the

effective date of the transfer of the last license transferred to the broadcasting corporation.

**SECTION 930t.** 40.02 (17) (g) of the statutes is repealed.

**SECTION 930v.** 40.02 (17) (gm) of the statutes is created to read:

40.02 **(17)** (gm) Any assistant district attorney in a county having a population of 500,000 or more who did not have vested benefit rights under the retirement system established under chapter 201, laws of 1937, who became a participating employe on January 1, 1990, and who is a participating employe on the effective date of this paragraph .... [revisor inserts date], shall receive creditable service for the total period of his or her service under the retirement system established under chapter 201, laws of 1937.

**SECTION 931.** 40.02 (28) of the statutes is amended to read:

40.02 **(28)** "Employer" means the state, including each state agency, any county, city, village, town, school district, other governmental unit or instrumentality of 2 or more units of government now existing or hereafter created within the state and any federated public library system established under s. 43.19 whose territory lies within a single county with a population of 500,000 or more, except as provided under ss. 40.51 (7) and 40.61 (3), ~~or~~ a local exposition district created under subch. II of ch. 229 <u>or a family care district created under s. 46.2895</u>. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

**SECTION 932.** 40.02 (36) of the statutes is amended to read:

40.02 **(36)** "Governing body" means the legislature or the head of each state agency with respect to employes of that agency for the state, the common council in cities, the village board in villages, the town board in towns, the county board in counties, the school board in school districts, or the board, commission or other

governing body having the final authority for any other unit of government, for any agency or instrumentality of 2 or more units of government, for any federated public library system established under s. 43.19 whose territory lies within a single county with a population of 500,000 or more ~~or~~, for a local exposition district created under subch. II of ch. 229 or for a family care district created under s. 46.2895.

**SECTION 935.** 40.02 (48) (am) of the statutes is amended to read:

40.02 **(48)** (am) "Protective occupation participant" includes any participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who is a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant, member of the state traffic patrol, state motor vehicle inspector, police officer, fire fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic police officer, state forest ranger, fire watcher employed by the Wisconsin veterans home, state correctional–psychiatric officer, excise tax investigator employed by the department of revenue, special criminal investigation agent in the department of justice, assistant or deputy fire marshal, or person employed under s. 61.66 (1).

**SECTION 936.** 40.02 (48) (b) 4. of the statutes is created to read:

40.02 **(48)** (b) 4. A "member of the state traffic patrol" includes one division administrator in the department of transportation who is counted under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic patrol, if the division administrator is certified by the law enforcement standards board under s. 165.85 (4) (b) 1. as being qualified to be a law enforcement officer.

**SECTION 938d.** 40.03 (6) (a) 2. of the statutes is amended to read:

40.03 **(6)** (a) 2. May, wholly or partially in lieu of subd. 1., on behalf of the state, provide any group insurance plan on a self–insured basis in which case the group insurance board shall approve a written description setting forth the terms and conditions of the plan, and may contract directly with providers of hospital, medical or ancillary services or long–term care to provide insured employes with the benefits provided under this chapter.

**SECTION 938h.** 40.03 (6) (h) (intro.) of the statutes is renumbered 40.03 (6) (h) and amended to read:

40.03 **(6)** (h) Shall, on behalf of the state, offer as provided in s. 40.55 long–term care insurance policies~~, subject to the following conditions:~~.

**SECTION 938i.** 40.03 (6) (h) 1. of the statutes is repealed.

**SECTION 938j.** 40.03 (6) (h) 2. of the statutes is repealed.

**SECTION 939m.** 40.04 (9) of the statutes is amended to read:

40.04 **(9)** Separate group health, long–term care, income continuation and life insurance accounts, and additional accounts for any other type of insurance provided under this chapter shall be maintained within the fund, to which shall be credited moneys received from operations of the respective group insurance plans for insurance premiums, as dividend or premium credits arising from the operation of the respective insurance plans and from investment income on any reserves established in the fund for the respective insurance plans. Premium payments to insurers, any insurance benefit to be paid directly by the fund and reimbursements of 3rd parties for benefits paid on behalf of an insurance plan shall be charged to the corresponding account established for that benefit plan. This subsection shall not be construed to prohibit the direct payment of premiums to insurers when appropriate administrative procedures have been established for direct payments.

**SECTION 939t.** 40.05 (2) (bz) of the statutes is created to read:

40.05 **(2)** (bz) The employer contribution rate determined under par. (b) for the department of administration shall be adjusted to reflect the cost of granting creditable service under s. 40.02 (17) (gm) and that rate shall be sufficient to amortize the unfunded prior service liability of the department of administration over the remainder of the 40–year amortization period under par. (b).

**SECTION 944e.** 40.55 (1m) of the statutes is created to read:

40.55 **(1m)** (a) Except as provided in sub. (5), the state may offer, through the group insurance board, to eligible employes under s. 40.02 (25) (bm) and to state annuitants long–term care coverage on a self–insured basis.

(b) If the state offers long–term care coverage on a self–insured basis under par. (a), the state shall allow any eligible employe under s. 40.02 (25) (bm) and any state annuitant to purchase the long–term care coverage for his or her spouse, parent or spouse's parent.

(c) If the state offers long–term care coverage on a self–insured basis under par. (a), the group insurance board, biennially, shall submit to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report on the rates of participation in the self–insured program by eligible employes under s. 40.02 (25) (bm) and state annuitants. The group insurance board shall submit the report no later than July 1 of each odd–numbered year.

**SECTION 944g.** 40.55 (2) of the statutes is amended to read:

40.55 **(2)** For any long–term care policy offered through the group insurance board <u>under sub. (1)</u>, the insurer may impose underwriting considerations in determining the initial eligibility of persons to cover and what premiums to charge.

**SECTION 944i.** 40.55 (4) of the statutes is amended to read:

40.55 **(4)** The group insurance board may charge a fee to each insurer whose policy is offered under ~~this section~~ sub. (1), but the fee may not exceed the direct costs incurred by the group insurance board in offering the policy.

**SECTION 944m.** 40.63 (1) (c) of the statutes is amended to read:

40.63 **(1)** (c) The employe is not entitled to any earnings from the employer and the employer has certified that it has paid to the employe all earnings to which the employe is entitled, that the employe is on a leave of absence and is not expected to resume active service, or that the employe's participating employment has been terminated, because of a disability as described in par. (b) and as a consequence the employe is not entitled to any earnings from the employer. In this paragraph, "earnings" does not include bonus compensation to which the employe ~~is~~ was entitled under s. 25.156 (7) (a), 1997 stats.

**SECTION 945am.** 41.17 (2) of the statutes is amended to read:

41.17 **(2)** ELIGIBILITY. Any public or private organization not organized or incorporated for profit, including a tribal organization of a federally recognized American Indian tribe or band in this state, and any elected governing body of a federally recognized American Indian tribe or band in this state may apply to the department for joint effort marketing funds under this section. Prior to applying for such funds, each prospective applicant shall have submitted, at the time and in the manner provided by departmental rule, a plan and budget specifying the media to be used, the market to be approached, the facilities and attractions to be promoted and the applicant's estimated expenditures and receipts for the various projects within the plan. If such plan is coordinated with the statewide marketing strategy, the department shall approve it and the submitting organization or governing body shall be eligible to apply for joint effort marketing funds under this section.

**SECTION 945ar.** 41.17 (3) (intro.) of the statutes is amended to read:

41.17 **(3)** WRITTEN AGREEMENTS. (intro.) Each joint effort marketing project shall be implemented by a written agreement between the department and the applicant organization~~, which~~ or governing body. The agreement shall specify at a minimum:

**SECTION 945b.** 41.17 (4) (a) of the statutes is amended to read:

41.17 **(4)** (a) No state funds may be released for a project ~~which~~ that is not included within an advertising plan and budget submitted by an eligible organization or governing body and approved by the department.

**SECTION 945c.** 41.17 (5) of the statutes is created to read:

41.17 **(5)** FUNDING SOURCE. Subject to the 50% limitation under s. 20.380 (1) (b) and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the department shall expend, from the appropriations under s. 20.380 (1) (b) and (kg), at least $1,130,000 in the aggregate in each fiscal year in joint effort marketing funds under this section.

**SECTION 945d.** 41.41 (7) (cm) of the statutes is created to read:

41.41 **(7)** (cm) Acquire development rights in land any portion of which is approved by the department for inclusion in the Kickapoo valley reserve. Purchases under this paragraph are subject to the approval of the governor under s. 20.914 (1).

**SECTION 945e.** 44.015 (6) of the statutes is renumbered 44.015 (10).

**SECTION 945f.** 44.015 (7) of the statutes is created to read:

44.015 **(7)** Contract with the Wisconsin History Foundation, Inc., for the purpose of administering the historical society's membership program.

**SECTION 945g.** 44.02 (28) of the statutes is created to read:

44.02 **(28)** In the 1999–2001 fiscal biennium, pay the amount appropriated under s. 20.245 (3) (c) to the city of Neenah to restore the Neenah city clock tower if the city of Neenah contributes matching funds of at least $25,000.

**SECTION 945m.** 44.08 of the statutes is repealed.

**SECTION 945s.** 44.16 of the statutes is amended to read:

**44.16 ~~Historic sites foundation~~ Circus World Museum Foundation. (1)** The historical society may enter into a lease agreement with the ~~historic sites foundation, inc.~~ Circus World Museum Foundation, Inc., for the purpose of operating Circus World Museum, located in Baraboo, Wisconsin. The lease agreement shall not include any provision for the payment of a percentage of gross admissions income at Circus World Museum to the historical society.

**(2)** Upon request of the board of directors of the ~~historic sites foundation, inc.~~ Circus World Museum Foundation, Inc., the governor may nominate, and with the advice and consent of the senate appoint, one member of the board of directors to serve at the pleasure of the governor.

**SECTION 946.** 44.20 (1) of the statutes is amended to read:

44.20 **(1)** The historical society shall operate and maintain the historic sites known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline Island, Old World Wisconsin, H.H. Bennett Studios and, if the First Capitol state park has been transferred to the historical society under 1993 Wisconsin Act 16, section 9142 (1e), First Capitol.

**SECTION 946m.** 44.49 of the statutes is created to read:

**44.49 Heritage trust program. (1)** PURPOSE. The legislature determines that the provision of assistance by the state under this section and the awarding of grants to the Wisconsin Trust for Historic Preservation under this section serve a

statewide public purpose by assisting in the protection, restoration and rehabilitation of property located in this state that is significant in the history, prehistory, architecture, archaeology or culture of this state, its rural and urban communities or the nation.

**(2)** DEFINITIONS. In this section:

(a) "Local governmental unit" has the meaning given in s. 16.97 (7).

(b) "Trust" means the Wisconsin Trust for Historic Preservation.

**(3)** GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS. (a) From the appropriation under s. 20.866 (2) (zfm), the state historical society shall award grants to state agencies, local governmental units and nonprofit organizations for historic preservation. A grant recipient shall provide matching funds equal to 25% of the amount of the grant, except that the state historical society may require a recipient to provide matching funds equal to a higher percentage.

(b) The state historical society shall ensure that all grant recipients under par. (a) comply with the standards for rehabilitation in 36 CFR 67.7.

(c) The state historical society may award up to $1,000,000 in grants under par. (a) in the 2000–01 fiscal year and up to $1,500,000 in grants under par. (a) in each of the 9 succeeding fiscal years, except that if the state historical society awards less than the maximum amount allowed in any fiscal year the maximum amount allowed in the succeeding fiscal year is increased by an amount equal to the difference between the amount awarded in the current fiscal year and the maximum amount allowed in the current fiscal year.

**(4)** GRANTS TO THE TRUST. (a) Subject to par. (b), the state historical society annually shall award a grant to the trust from the appropriation under s. 20.866 (2)

(zfm). In the 2000–01 fiscal year, the amount of the grant shall be $1,000,000. In each of the 9 succeeding fiscal years, the amount of the grant shall be $500,000.

(b) The state historical society may award a grant under par. (a) only if the following conditions are satisfied:

1. The bylaws of the trust state that the purpose of the trust is to develop and support statewide initiatives promoting historic preservation and that, if the trust dissolves, the trust shall in good faith take all reasonable measures to ensure that all moneys paid to the trust under this subsection revert to the state.

2. The trust provides public access to any meeting held for the purpose of deliberations regarding the awarding of grants under par. (c) 1. to the same extent as is required of, and subject to the same terms and enforcement provisions that apply to, a governmental body under subch. V of ch. 19.

(c) The moneys received under par. (a) shall constitute an endowment fund. The trust shall use the earnings of the endowment fund for the following purposes:

1. To award grants to state agencies, local governmental units and nonprofit organizations for historic preservation, including historic preservation to commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall provide matching funds equal to 25% of the amount of the grant, except that the trust may require a recipient to provide matching funds equal to a higher percentage.

2. To temporarily acquire historic property for the purpose of historic preservation.

(d) The trust shall comply, and shall ensure that all grant recipients under par. (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

(e) The trust shall contract with an independent certified public accountant to biennially audit the endowment fund. Within 30 days after the completion of each

audit, the trust shall submit a detailed report of the audit to the governor and the joint committee on finance.

**(5)** SUNSET. The state historical society may not award a grant under this section after June 30, 2010.

**SECTION 947.** 44.53 (1) (fm) of the statutes is created to read:

44.53 **(1)** (fm) Conduct a program identical to that described in par. (f), but only for American Indian individuals and groups. The program shall be funded from the appropriation under s. 20.215 (1) (km).

**SECTION 947m.** 44.53 (1) (j) of the statutes is created to read:

44.53 **(1)** (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the High Point fund, the amount appropriated under s. 20.215 (1) (e).

**SECTION 948.** 44.53 (2) (am) of the statutes is created to read:

44.53 **(2)** (am) Enter into contracts with American Indian individuals, organizations and institutions and American Indian tribal governments for services furthering the development of the arts and humanities.

**SECTION 949.** 44.70 (2g) of the statutes is created to read:

44.70 **(2g)** "Educational agency" means a school district, private school, cooperative educational service agency, technical college district, private college, public library system, public library board, the Wisconsin School for the Visually Handicapped or the Wisconsin School for the Deaf.

**SECTION 951.** 44.70 (3m) of the statutes is created to read:

44.70 **(3m)** "Public library system" has the meaning given in s. 43.01 (5).

**SECTION 952.** 44.70 (5) of the statutes is created to read:

44.70 **(5)** "Universal service fund" means the trust fund established under s. 25.95.

**SECTION 953.** 44.71 (2) of the statutes is renumbered 44.71 (2) (a), and 44.71 (2) (a) 5. and 8., as renumbered, are amended to read:

44.71 **(2)** (a) 5. Subject to s. ~~196.218 (4r) (f)~~ 44.73 (5), in cooperation with the department ~~and the public service commission~~, provide telecommunications access to ~~school districts, private schools, cooperative educational service agencies, technical college districts, private colleges and public library boards~~ educational agencies under the program established under s. ~~196.218 (4r)~~ 44.73.

8. Purchase educational technology equipment for use by school districts, cooperative educational service agencies and public educational institutions in this state and permit the districts, agencies and institutions to purchase or lease the equipment, with an option to purchase the equipment at a later date. This ~~paragraph~~ subdivision does not require the purchase or lease of any educational technology equipment from the board.

**SECTION 953g.** 44.71 (2) (a) 6m. of the statutes is created to read:

44.71 **(2)** (a) 6m. No later than October 1 of each year, submit a report containing the discount rates provided to the board for telecommunications service under 47 USC 254 to the department of administration, the joint committee on finance and the public service commission.

**SECTION 954.** 44.71 (2) (bm) of the statutes is created to read:

44.71 **(2)** (bm) The board may contract with the Wisconsin advanced telecommunications foundation to provide administrative services to the foundation.

**SECTION 955.** 44.72 (1) (a) of the statutes is amended to read:

44.72 **(1)** (a) Award grants to applicants on a competitive basis through one funding cycle annually, except that the board shall ensure that at least one grant is

awarded annually to an applicant located in the territory of each cooperative educational service agency.

**SECTION 955m.** 44.72 (1) (d) of the statutes is created to read:

44.72 **(1)** (d) Promulgate rules establishing administrative procedures, eligibility criteria and application requirements for awarding grants under this section.

**SECTION 955t.** 44.72 (2) (a) of the statutes is repealed.

**SECTION 956.** 44.72 (2) (b) 3. of the statutes is repealed.

**SECTION 956g.** 44.72 (2) (c) of the statutes is amended to read:

44.72 **(2)** (c) A school district is eligible for a grant under par. ~~(a) or~~ (b) 2. only if the annual meeting in a common school district, or the school board in a unified school district or in a school district operating under ch. 119, adopts a resolution requesting the grant. A grant under this subsection may not be used to replace funding available from other sources.

**SECTION 956r.** 44.72 (2) (d) of the statutes is amended to read:

44.72 **(2)** (d) A school district receiving a grant under par. ~~(a) or~~ (b) shall deposit the moneys in a separate fund. The moneys may be used for any purpose related to educational technology, except that a school district may not use the moneys to pay the salary or benefits of any school district employe.

**SECTION 957.** 44.72 (2) (e) of the statutes is amended to read:

44.72 **(2)** (e) The board shall distribute the grants under par. (b) 2. ~~and 3.~~ annually on the first Monday in February.

**SECTION 958.** 44.72 (4) (title) of the statutes is amended to read:

44.72 **(4)** (title) ~~SUBSIDIZED EDUCATIONAL~~ EDUCATIONAL TECHNOLOGY INFRASTRUCTURE ~~LOANS~~ FINANCIAL ASSISTANCE.

**SECTION 959.** 44.72 (4) (a) of the statutes is amended to read:

44.72 **(4)** (a) *~~Subsidized loans~~ Financial assistance authorized.* The board may ~~make subsidized loans~~ provide financial assistance under this subsection to school districts from the proceeds of public debt contracted under s. 20.866 (2) (zc) and to public library boards from the proceeds of public debt contracted under s. 20.866 (2) (zcm). ~~Subsidized loans~~ Financial assistance under this subsection may be used only for the purpose of upgrading the electrical wiring of school and library buildings in existence on October 14, 1997, and installing and upgrading computer network wiring.

**SECTION 960.** 44.72 (4) (b) of the statutes is amended to read:

44.72 **(4)** (b) *~~Subsidized loan~~ Financial assistance applications, terms and conditions.* The board shall establish application procedures for, and the terms and conditions of, ~~subsidized loans~~ financial assistance under this subsection. The board shall make a loan to a school district or public library board in an amount equal to 50% of the total amount of financial assistance for which the board determines the school district or public library board is eligible and provide a grant to the school district or public library board for the remainder of the total. The terms of any financial assistance under this subsection may include provision of professional building construction services under s. 16.85 (15). The board shall determine the interest rate on ~~these~~ loans under this subsection. The interest rate shall be as low as possible but shall be sufficient to fully pay all interest expenses incurred by the state in making the loans and to provide reserves that are reasonably expected to be required in the judgment of the board to ensure against losses arising from delinquency and default in the repayment of ~~subsidized~~ the loans. The term of a ~~subsidized~~ loan under this subsection may not exceed 10 years.

**SECTION 961.** 44.72 (4) (c) of the statutes is amended to read:

44.72 **(4)** (c) *Repayment of ~~subsidized~~ loans.* ~~A school district's or public library board's total payments on a loan made under this subsection shall be equal to 50% of the total debt service on the loan, as determined by the board. A school district or public library board is not obligated to pay the remaining 50% of the debt service on the loan.~~ The board shall credit all moneys received from school districts ~~under this paragraph~~ for repayment of loans under this subsection to the appropriation account under s. 20.275 (1) (h). The board shall credit all moneys received from public library boards ~~under this paragraph~~ for repayment of loans under this subsection to the appropriation account under s. 20.275 (1) (hb).

**SECTION 962.** 44.72 (4) (d) of the statutes is amended to read:

44.72 **(4)** (d) *Funding for ~~subsidized loans~~ financial assistance.* The board, with the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm), may request that the building commission contract public debt in accordance with ch. 18 to fund ~~loans~~ financial assistance under this subsection.

**SECTION 963.** 44.72 (5) of the statutes is created to read:

44.72 **(5)** FOREIGN LANGUAGE INSTRUCTION GRANTS. (a) Beginning in the 2000–01 fiscal year, the board shall award at least one grant in each fiscal year, on a competitive basis, to an educational organization or consortium of educational organizations for the development and implementation of a foreign language instruction program in a public school in grades kindergarten to 6.

(b) The board shall award grants under par. (a) from the appropriation under s. 20.275 (1) (b). The board may not award a grant to an organization or consortium of organizations unless the foreign language instruction is provided to pupils using

data lines or video links for which access is provided under s. 44.73 (1) or for which a grant is awarded under s. 44.73 (6).

(c) The board shall promulgate rules defining "educational organization" for the purposes of this subsection.

**SECTION 967.** 45.25 (1) of the statutes is amended to read:

45.25 **(1)** ADMINISTRATION. The department of veterans affairs shall administer a tuition and fee reimbursement program for eligible veterans enrolling as undergraduates in any institution ~~within the university of Wisconsin system, enrolling in any technical college under ch. 38~~ of higher education, as defined in s. 45.396 (1) (a), in this state or receiving a waiver of nonresident tuition under s. 39.47.

**SECTION 968.** 45.25 (2) (d) of the statutes is amended to read:

45.25 **(2)** (d) The individual is a resident at the time of application for the tuition and fee reimbursement program and was a Wisconsin resident at the time of entry or reentry into service or was a resident for any consecutive 5–year period after ~~completing~~ entry or reentry into service ~~on active duty~~ and before the ~~time~~ date of his or her application. If a person applying for a benefit under this section meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she later applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

**SECTION 969.** 45.25 (2) (e) of the statutes is created to read:

45.25 **(2)** (e) The individual is enrolled for at least 12 credits during the semester for which reimbursement is sought.

**SECTION 970.** 45.25 (3) (a) of the statutes is amended to read:

45.25 **(3)** (a) Except as provided in par. (am), an individual who meets the requirements under sub. (2), upon satisfactory completion of ~~an~~ a full–time undergraduate semester in any institution ~~within the university of Wisconsin system or a semester at any technical college district school under ch. 38~~ of higher education, as defined in s. 45.396 (1) (a), in this state or any institution from which the individual receives a waiver of nonresident tuition under s. 39.47, may be reimbursed for up to ~~50%~~ 65% of the individual's tuition and fees~~, but that~~. The reimbursement under this paragraph is limited to a maximum of ~~50%~~ 65% of the standard cost for a state resident for an equivalent undergraduate course at the University of Wisconsin–Madison per course or the difference between the individual's tuition and fees and the grants or scholarships, including those made under s. 21.49, that the individual receives specifically for the payment of the tuition or fees, whichever is less. Reimbursement is available only for tuition and fees that are part of a curriculum that is relevant to a degree in a particular course of study at the institution ~~or school~~.

**SECTION 971.** 45.25 (3) (am) of the statutes is amended to read:

45.25 **(3)** (am) A disabled individual who meets the requirements under sub. (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon satisfactory completion of an undergraduate semester in any institution ~~within the university of Wisconsin system or a semester at any technical college district school under ch. 38~~ of higher education, as defined in s. 45.396 (1) (a), in this state or any institution from which the individual receives a waiver of nonresident tuition under s. 39.47, may be reimbursed for up to 100% of the individual's tuition and fees~~, but that~~. The reimbursement under this paragraph is limited to 100% of the standard cost for a state resident for an equivalent undergraduate course at the University of

Wisconsin–Madison per course, or the difference between the individual's tuition and fees and the grants or scholarships, including those made under s. 21.49, that the individual receives specifically for the payment of the tuition or fees, whichever is less. Reimbursement is available only for tuition and fees that are part of a curriculum that is relevant to a degree in a particular course of study at the institution ~~or school~~.

**SECTION 972.** 45.25 (4) (a) of the statutes is amended to read:

45.25 **(4)** (a) An individual is not eligible for reimbursement under sub. (2) for more than 120 credits ~~of part–time study~~ or 8 full semesters of full–time study at any institution ~~within the university of Wisconsin system~~ of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits ~~of part–time study~~ or 4 full semesters of full–time study at ~~a technical college under ch. 38~~ any institution of higher education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an equivalent amount of credits at an institution where he or she is receiving a waiver of nonresident tuition under s. 39.47.

**SECTION 973.** 45.25 (4) (b) (intro.) of the statutes is amended to read:

45.25 **(4)** (b) (intro.) The department may provide reimbursement under sub. (2) to an individual who is delinquent in child support or maintenance payments or who owes past support, medical expenses or birth expenses, as established by the ~~receipt by the department of a certification under s. 49.855~~ appearance of the individual's name on the statewide support lien docket under s. 49.854 (2) (b), only if the individual provides the department with one of the following:

**SECTION 974.** 45.25 (4) (b) 2. of the statutes is amended to read:

45.25 **(4)** (b) 2. A statement that the individual is not delinquent in child support or maintenance payments and does not owe past support, medical expenses

or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

**SECTION 975.** 45.35 (5) (a) 2. c. of the statutes is amended to read:

45.35 **(5)** (a) 2. c. Has been a resident of this state for any consecutive 5–year period after ~~completing~~ entry or reentry into service ~~on active duty~~ and before the date of his or her application or death. If a person applying for a benefit under this subchapter meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she later applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

**SECTION 976.** 45.35 (14) (h) of the statutes is created to read:

45.35 **(14)** (h) To provide grants to the governing bodies of federally recognized American Indian tribes and bands from the appropriation under s. 20.485 (2) (km) if that governing body enters into an agreement with the department regarding the creation, goals and objectives of a tribal veterans' service officer, appoints a veteran to act as a tribal veterans' service officer and gives that veteran duties similar to the duties described in s. 45.43 (5), except that the veteran shall report to the governing body of the tribe or band. The department may make annual grants of up to $2,500 under this paragraph and shall promulgate rules to implement this paragraph.

**SECTION 977.** 45.35 (15) of the statutes is amended to read:

45.35 **(15)** LIBERAL CONSTRUCTION INTENDED. This section, ss. 45.25, 45.351, 45.356 and 45.37 and subch. II shall be construed as liberally as the language permits in favor of applicants.

**SECTION 979.** 45.356 (6) (intro.) of the statutes is amended to read:

45.356 **(6)** (intro.) The department may provide a loan under this section ~~after the department receives a certification under s. 49.855 (7) that the applicant is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ to an applicant whose name appears on the statewide support lien docket under s. 49.854 (2) (b) only if the applicant does one of the following:

**SECTION 980.** 45.356 (6) (b) of the statutes is amended to read:

45.356 **(6)** (b) Provides to the department a statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

**SECTION 981.** 45.356 (9) (a) of the statutes is amended to read:

45.356 **(9)** (a) The department may borrow from the veterans mortgage loan repayment fund under s. 45.79 (7) (a) ~~and shall pledge~~ to obtain money to make loans ~~made~~ under this section ~~as collateral for the borrowing~~.

**SECTION 982.** 45.356 (9) (b) of the statutes is amended to read:

45.356 **(9)** (b) The department may enter into transactions with the state investment board to obtain money to make loans under this section. Transactions authorized under this paragraph may include the sale of loans.

**SECTION 982m.** 45.358 (2) of the statutes is amended to read:

45.358 **(2)** CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of veterans affairs may construct and operate veterans cemeteries in northwestern and southeastern Wisconsin and may employ such personnel as are necessary for the proper

management of the cemeteries. The cemetery in southeastern Wisconsin is the Southern Wisconsin Veterans Memorial Cemetery. The cemetery in northwestern Wisconsin is the Northern Wisconsin Veterans Memorial Cemetery. The department may acquire, by gift, purchase or condemnation, lands necessary for the purposes of the cemeteries. Title to the properties shall be taken in the name of this state. Every deed of conveyance shall be immediately recorded in the office of the proper register of deeds and thereafter filed with the secretary of state. All cemeteries operated by the department are exempt from the requirements of ss. 157.061 to 157.70 and 440.90 to 440.95.

**SECTION 983.** 45.37 (3) (b) (title) of the statutes is repealed.

**SECTION 984.** 45.37 (3) (b) of the statutes is renumbered 45.37 (3) and amended to read:

45.37 **(3)** *Nonresident.* A veteran who was not a resident of this state at the time of enlistment or induction into service but who is otherwise qualified for membership may be admitted if the veteran has been a resident of this state for any consecutive 5–year period after ~~completing~~ enlistment or induction into service ~~on active duty~~ and before the date of his or her application. If a person applying for a benefit under this subchapter meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she later applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

**SECTION 984m.** 45.385 of the statutes is amended to read:

**45.385 Veterans residential, treatment and nursing care facilities.** Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of

veterans affairs may construct or renovate and operate residential, treatment and nursing care facilities in southeastern Wisconsin ~~and may~~, to be known as the Southern Wisconsin Veterans Retirement Center. The department may employ such personnel as are necessary for the proper management of the ~~facilities~~ Southern Wisconsin Veterans Retirement Center. The department may acquire by gift, purchase or condemnation lands necessary for the purposes of the ~~facilities~~ Southern Wisconsin Veterans Retirement Center. Title to any properties acquired under this section shall be taken in the name of this state. Every deed of conveyance shall be immediately recorded in the office of the proper register of deeds and filed with the secretary of state.

**SECTION 985.** 45.396 (1) (a) of the statutes is amended to read:

45.396 **(1)** (a) "Institution of higher education" ~~means an educational institution meeting the requirements of P.L. 89–329 for institutions covered therein and of P.L. 89–287 for business, trade, technical or vocational schools and full–time post–high school technical colleges~~ has the meaning given in 20 USC 1088 (a).

**SECTION 986.** 45.396 (5) of the statutes is amended to read:

45.396 **(5)** Except as provided in sub. (9), the reimbursement may not exceed ~~50%~~ 65% of the cost of tuition and fees and shall also be limited to a maximum of ~~50%~~ 65% of the standard cost for a state resident for tuition and fees for an equivalent undergraduate course at the University of Wisconsin–Madison per course and may not be provided to an individual more than 4 times during any consecutive 12–month period.

**SECTION 987.** 45.396 (6) (intro.) of the statutes is amended to read:

45.396 **(6)** (intro.) The department may make a grant ~~to an applicant~~ under this section ~~after the department receives a certification under s. 49.855 (7) that the~~

~~applicant is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ to an applicant whose name appears on the statewide support lien docket under s. 49.854 (2) (b) only if the applicant provides the department with one of the following:

**SECTION 988.** 45.396 (6) (b) of the statutes is amended to read:

45.396 **(6)** (b) A statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

**SECTION 989g.** 45.397 (4) of the statutes is repealed.

**SECTION 990.** 45.71 (16) (a) 2m. a. of the statutes is amended to read:

45.71 **(16)** (a) 2m. a. Has been a resident of this state for any consecutive 5–year period after ~~completing~~ enlistment or induction into service ~~on active duty~~ and before the date of his or her application or death. If a person applying for a benefit under this subchapter meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

**SECTION 991.** 45.74 (6) (intro.) of the statutes is amended to read:

45.74 **(6)** DELINQUENT SUPPORT PAYMENTS. (intro.) The person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses, as evidenced by ~~a certification under s. 49.855 (7)~~ the appearance of the person's name on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides the department or authorized lender with one of the following:

**SECTION 992.** 45.74 (6) (b) of the statutes is amended to read:

45.74 **(6)** (b) A statement that the person is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

**SECTION 993.** 45.76 (1) (c) of the statutes is amended to read:

45.76 **(1)** (c) *Home improvements.* A loan of not more than ~~$15,000~~ $25,000 to improve a home, including construction of a garage.

**SECTION 994.** 45.79 (9) (a) of the statutes is amended to read:

45.79 **(9)** (a) All moneys received from any source for repayment of loans, mortgages or mortgage loan notes funded with proceeds of revenue obligations issued under sub. (6) (c) shall be deposited into one or more separate nonlapsible trust funds in the state treasury or with a trustee ~~as provided in s. 18.56 (9) (j)~~ appointed for that purpose by the authorizing resolution for the revenue obligations. The board may pledge revenues received by the funds to secure revenue obligations issued under sub. (6) (c) and shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18. Unrestricted balances in the funds may be used to fund additional loans issued under sub. (6) (c) and pay the balances owing on loans after the assumptions of the loans or the closings of the sales of residences under sub. (10) (c).

**SECTION 995.** 46.03 (1) of the statutes is amended to read:

46.03 **(1)** INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the Winnebago mental health institutes; the secure mental health facility established under s. 46.055; and the centers for the developmentally disabled.

**SECTION 996.** 46.03 (7) (g) of the statutes is created to read:

46.03 **(7)** (g) Before July 1, 2005, establish a statewide automated child welfare information system.

**SECTION 997.** 46.03 (22) (a) of the statutes is amended to read:

46.03 **(22)** (a) "Community living arrangement" means any of the following facilities licensed or operated, or permitted under the authority of the department: child welfare agencies under s. 48.60, group homes for children under s. 48.02 (7) and community–based residential facilities under s. 50.01; but does not include adult family homes, as defined in s. 50.01, day care centers, nursing homes, general hospitals, special hospitals, prisons and jails. ~~"Community living arrangement" also includes a youth village program as described in s. 118.42.~~

**SECTION 999m.** 46.036 (8) of the statutes is created to read:

46.036 **(8)** If the department proposes to consolidate contracts into one single contract to cover care or services under more than one program administered by the subunit of the department that is primarily responsible for administering public health, the department shall submit the proposed contract to the cochairpersons of the joint committee on finance. The proposed contract shall detail the programs for which care or services are being contracted, the allocation of funds for each program and outcome performance incentives and disincentives offered under the contract. If the cochairpersons of the committee do not notify the secretary within 14 working days after receiving the proposed contract that the cochairpersons have scheduled a meeting for the purpose of reviewing the contract, the department may enter into the contract as proposed. If, within 14 working days after receiving the proposed contract, the cochairpersons notify the secretary that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposed contract, the department may not enter into the contract except as approved by the committee.

**SECTION 1000.** 46.043 of the statutes is created to read:

**46.043 Additional services of mental health institutes. (1)** In addition to inpatient and outpatient services provided at mental health institutes under ss. 51.05 and 51.07, the department may authorize mental health institutes to offer services other than inpatient mental health services when the department determines that community services need to be supplemented. Services that may be offered under this section include mental health outpatient treatment and services, day programming, consultation and services in residential facilities, including group homes, child caring institutions and community–based residential facilities.

**(2)** Services under this section may be provided only under contract between the department and a county department under s. 46. 215, 46.22 or 46.23, a school district or another public or private entity within the state to persons referred from those entities, at the discretion of the department. The department shall charge the referring entity all costs associated with providing the services. Unless a referral is made, the department may not offer services under this section to the person who is to receive the services or his or her family. The department may not impose a charge for services under this section upon the person receiving the services or his or her family. The department shall credit any revenues received under this section to the appropriation account under s. 20.435 (2) (gk).

**(3)** (a) Except as provided in par. (b), services under this section are governed by all of the following:

1. The terms of the contract between the department and the referring entity.

2. Subchapter XVI of ch. 48 and ss. 50.03, 50.032, 50.033, 50.034 (1) to (3), 50.035, 50.04, 50.09, 51.04, 51.42 (7) (b) and 51.61. In applying these statutes, the services shall be considered to be provided by a private entity.

3. Rules promulgated under the statutes specified in subd. 2.

(b) In the event of a conflict between par. (a) 1. and 2. or 3., the services shall comply with the contractual, statutory or rules provision that is most protective of the service recipient's health, safety, welfare or rights.

(c) Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1. and 51.42 (3) (as), other similar provisions in chs. 46 and 51 and zoning or other ordinances or regulations of the county, city, town or village in which the services are provided or the facility is located do not apply to the services under this section.

(d) The department may not be required, by court order or otherwise, to offer services under this section.

**(4)** Services in a residential facility operated by a mental health institute that are authorized by the department under this section shall be provided only in a facility that is situated on the grounds of a mental health institute. The facility may not be considered to be a hospital, as defined in s. 50.33 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19).

**SECTION 1001.** 46.055 of the statutes is created to read:

**46.055 Secure mental health facility for sexually violent persons.** The department shall establish and operate a secure mental health facility for the detention, evaluation and institutional care of persons under ch. 980.

**SECTION 1002d.** 46.057 (2) of the statutes is amended to read:

46.057 **(2)** From <u>the appropriation account under s. 20.410 (3) (ba), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $1,273,900 in fiscal year 1999–2000 and $1,379,300 in fiscal year 2000–01 and, from</u> the appropriation account under s. 20.410 (3) (hm), the department of

corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) ~~$3,125,100~~ $2,489,300 in fiscal year ~~1997–98~~ 1999–2000 and ~~$3,236,200~~ $2,489,900 in fiscal year ~~1998–99~~ 2000–01 for services for juveniles placed at the Mendota juvenile treatment center. The department of health and family services may charge the department of corrections not more than the actual cost of providing those services.

**SECTION 1002j.** 46.058 (2m) of the statutes is created to read:

46.058 **(2m)** The superintendents of the secure mental health facility established under s. 46.055, the Wisconsin resource center established under s. 46.056 and any secure mental health unit or facility provided by the department of corrections under s. 980.065 (2) shall adopt proper means to prevent escapes of persons detained or committed to the facility, center or unit under ch. 980 and may adopt proper means to pursue and capture persons detained or committed to the facility, center or unit under ch. 980 who have escaped. In adopting means under this subsection to prevent escape and pursue and capture persons who have escaped, a superintendent may delegate to designated staff members of the facility, center or unit the power to use necessary and appropriate force, as defined by the department by rule, to prevent escapes and capture escaped persons.

**SECTION 1003.** 46.10 (2) of the statutes is amended to read:

46.10 **(2)** Except as provided in subs. (2m) and (14) (b) and (c), any person, including but not limited to a person admitted, committed or placed under s. 975.01, 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14 (2) and (5), 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services and supplies provided by any institution in this state including University of Wisconsin

Hospitals and Clinics, in which the state is chargeable with all or part of the person's care, maintenance, services and supplies, any person receiving care and services from a county department established under s. 51.42 or 51.437 or from a facility established under s. 49.73, and any person receiving treatment and services from a public or private agency under s. 980.06 (2) (c), 1997 stats., or s. 971.17 (3) (d) or (4) (e)~~, 980.06 (2) (c)~~ or 980.08 (5) and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services and supplies in accordance with the fee schedule established by the department under s. 46.03 (18). If a spouse, widow or minor, or an incapacitated person may be lawfully dependent upon the property for their support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for those persons. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt thereof is not a condition of liability.

**SECTION 1010.** 46.21 (2m) (c) of the statutes is amended to read:

46.21 **(2m)** (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and 253.07 (3) (c), any subunit of the county department of human services acting under

this subsection may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of human services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of human services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of human services to coordinate the delivery of services to the client.

**SECTION 1011.** 46.215 (1) (j) of the statutes is amended to read:

46.215 **(1)** (j) To make payments in such manner as the department of workforce development may determine for training of recipients, former recipients and potential recipients of aid in programs established under ~~ss.~~ s. 49.193, 1997 stats., and s. 49.26 (1).

**SECTION 1012.** 46.215 (1) (r) of the statutes is created to read:

46.215 **(1)** (r) If authorized under s. 46.283 (1) (a) 1., to apply to the department of health and family services to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), to operate the resource center.

**SECTION 1013.** 46.215 (1) (s) of the statutes is created to read:

46.215 **(1)** (s) If authorized under s. 46.284 (1) (a) 1., to apply to the department of health and family services to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), to operate the care management organization and, if appropriate, place funds in a risk reserve.

**SECTION 1014p.** 46.215 (1g) of the statutes is amended to read:

46.215 **(1g)** ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN WORKS AGENCY.. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for and ~~distribute~~, if determined eligible, issue food coupons under s. 49.143 (2) (e) to eligible participants in the Wisconsin works program under subch. III of ch. 49.

**SECTION 1017.** 46.215 (1m) of the statutes is amended to read:

46.215 **(1m)** EXCHANGE OF INFORMATION. Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of social services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of social services to coordinate the delivery of services to the client.

**SECTION 1018.** 46.215 (2) (c) 1. of the statutes is amended to read:

46.215 **(2)** (c) 1. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services to be purchased, except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family

services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in a contract under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), as appropriate, under s. 46.495.

**SECTION 1019.** 46.22 (1) (b) 1. j. of the statutes is created to read:

46.22 **(1)** (b) 1. j. If authorized under s. 46.283 (1) (a) 1., to apply to the department of health and family services to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), to operate the resource center.

**SECTION 1020.** 46.22 (1) (b) 1. k. of the statutes is created to read:

46.22 **(1)** (b) 1. k. If authorized under s. 46.284 (1) (a) 1., to apply to the department of health and family services to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), to operate the care management organization and, if appropriate, place funds in a risk reserve.

**SECTION 1021.** 46.22 (1) (b) 2. a. of the statutes is repealed.

**SECTION 1022.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

46.22 **(1)** (b) 2. e. To make payments in such manner as the department of workforce development may determine for training of recipients, former recipients and potential recipients of aid in programs established under ss. 49.193, 1997 stats., and 49.26 (1).

**SECTION 1022m.** 46.22 (1) (c) 2. of the statutes is amended to read:

46.22 **(1)** (c) 2. Subdivision 1. does not authorize the county department of social services to make investigations regarding admission to or release from ~~the Waupun correctional institution, the Columbia correctional institution, the Racine correctional institution, the Racine Youthful Offender Correctional Facility, the correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), the correctional institution authorized under s. 301.046 (1), the correctional institution authorized under s. 301.048 (4) (b), the correctional institution authorized under s. 301.16 (1n), the Oshkosh correctional institution, the Green Bay correctional institution, the Dodge correctional institution, the Taycheedah correctional institution~~ state prisons under s. 302.01, county houses of correction, jails, detention homes or reforestation camps.

**SECTION 1023.** 46.22 (1) (c) 8. f. of the statutes is created to read:

46.22 **(1)** (c) 8. f. Before July 1, 2005, the county department of social services shall implement the statewide automated child welfare information system established by the department under s. 46.03 (7) (g).

**SECTION 1024.** 46.22 (1) (dm) of the statutes is amended to read:

46.22 **(1)** (dm) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services acting under this subsection may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of social services or with a resource center, care management organization or family care district, if necessary

to enable an employe or service provider to perform his or her duties, or to enable the county department of social services to coordinate the delivery of services to the client.

**SECTION 1025.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

46.22 **(1)** (e) 3. a. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services, except under subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o) according to s. 46.495.

**SECTION 1026p.** 46.22 (1g) of the statutes is amended to read:

46.22 **(1g)** ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for and ~~distribute~~, if determined eligible, issue food coupons under s. 49.143 (2) (e) to eligible participants in the Wisconsin works program under subch. III of ch. 49.

**SECTION 1029.** 46.23 (3) (e) of the statutes is amended to read:

46.23 **(3)** (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07

(3) (c) and 938.78 (2) (a), any subunit of a county department of human services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of human services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of human services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of human services to coordinate the delivery of services to the client.

**SECTION 1030.** 46.266 (1) (d) of the statutes is created to read:

46.266 **(1)** (d) A person in the facility who has been determined under s. 49.45 (6c) (b) to require active treatment for mental illness.

**SECTION 1030d.** 46.266 (3) of the statutes is amended to read:

46.266 **(3)** The total number of beds in skilled nursing facilities or intermediate care facilities that are funded at any one time under subs. (1) and (2) may not exceed the number of beds available for the persons specified in sub. (1) (a), minus the number of beds reduced under sub. (8) (a), plus the number of beds added for persons who are specified under sub. (1) (c) and (d). The department may redistribute funds for a vacant bed from one county to another county that is seeking to effect the placement of a person in an institution for mental diseases.

**SECTION 1031.** 46.27 (1) (bm) of the statutes is amended to read:

46.27 **(1)** (bm) "Private nonprofit agency" means a nonprofit corporation, as defined in s. 181.0103 (17), which provides ~~comprehensive health care services to elderly persons~~ a program of all–inclusive care for persons aged 65 or older

authorized under 42 USC 1395 to 1395ggg and which participates in the On Lok replication initiative.

**SECTION 1032.** 46.27 (2) (k) of the statutes is created to read:

46.27 **(2)** (k) Review and approve or disapprove the terms of risk reserve escrow accounts created under sub. (7) (fr) and approve or disapprove disbursements for administrative or staff costs from the risk reserve escrow accounts.

**SECTION 1033g.** 46.27 (4) (am) of the statutes is created to read:

46.27 **(4)** (am) If a local long–term care council in a county assumes under s. 46.282 (3) (b) the duties of the county long–term support planning committee under this subsection, the county long–term support planning committee for the county is dissolved.

**SECTION 1033h.** 46.27 (4) (c) (intro.) of the statutes is amended to read:

46.27 **(4)** (c) (intro.) The planning committee shall develop, or, if a local long–term care council has under s. 46.282 (3) (b) assumed the duties of the planning committee, the local long–term care council shall recommend a community options plan for participation in the program. The plan shall include:

**SECTION 1033i.** 46.27 (4) (c) 5. of the statutes is amended to read:

46.27 **(4)** (c) 5. A description of the method to be used by the committee or, if a local long–term care council has under s. 46.282 (3) (b) assumed the duties of the planning committee, the local long–term care council to monitor the implementation of the program.

**SECTION 1038.** 46.27 (4) (c) 8. of the statutes is amended to read:

46.27 **(4)** (c) 8. If a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established in the county, a description of how the activities of the pilot project relate to and are coordinated with the county's proposed program.

**SECTION 1039.** 46.27 (5) (am) of the statutes is amended to read:

46.27 **(5)** (am) Organize assessment activities specified in sub. (6). The county department or aging unit shall utilize persons for each assessment who can determine the needs of the person being assessed and who know the availability within the county of services alternative to placement in a nursing home. If any hospital patient is referred to a nursing home for admission, these persons shall work with the hospital discharge planner in performing the activities specified in sub. (6). The county department or aging unit shall coordinate the involvement of representatives from the county departments under ss. 46.215, 46.22, 51.42 and 51.437, health service providers and the county commission on aging in the assessment activities specified in sub. (6), as well as the person being assessed and members of the person's family or the person's guardian. This paragraph does not apply to a county department or aging unit in a county where a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established.

**SECTION 1040.** 46.27 (6) (a) 3. of the statutes is amended to read:

46.27 **(6)** (a) 3. In each participating county, except in counties where a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established, assessments shall be conducted for those persons and in accordance with the procedures described in the county's community options plan. The county may elect to establish assessment priorities for persons in target groups identified by the county in its plan regarding gradual implementation. If a person who is already admitted to a nursing home requests an assessment and if funds allocated for assessments under sub. (7) (am) are available, the county shall conduct the assessment.

**SECTION 1041.** 46.27 (6g) (intro.) of the statutes is amended to read:

46.27 **(6g)** FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and within the limitations under sub. (7) (b), the fiscal responsibility of a county for an assessment, unless the assessment is performed by an entity under s. ~~46.271 (2m)~~ 46.281 (1) (d), case plan or services provided to a person under this section is as follows:

**SECTION 1041m.** 46.27 (6r) (f) of the statutes is created to read:

46.27 **(6r)** (f) A person who has attained the age of 18 but has not attained the age of 65 unless that person is engaged in gainful employment or participating in a program that is certified by the department to provide health and employment services that are aimed at helping the individual achieve employment goals. The department may waive this paragraph for any individual for whom its application would cause undue hardship.

**SECTION 1042.** 46.27 (6u) (c) 2. of the statutes is amended to read:

46.27 **(6u)** (c) 2. For a person who is determined to be financially eligible under subd. 1. calculate, by use of the uniform fee system under s. 46.03 (18), the amount of cost sharing required for receipt of long–term community support services provided under sub. (5) (b). The county department or aging unit shall require payment by the person of 100% of the amount calculated under this subdivision, unless the person is a recipient of medical assistance under s. 49.472. If the person is a recipient of medical assistance under s. 49.472, the county department or aging unit may not require any payment from the person under this subdivision.

**SECTION 1043.** 46.27 (7) (am) of the statutes is amended to read:

46.27 **(7)** (am) From the appropriation under s. 20.435 (7) (bd), the department shall allocate funds to each county or private nonprofit agency with which the department contracts to pay assessment and case plan costs under sub. (6) not

otherwise paid by fee or under s. 49.33 (2) or 49.45. The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46, 49.468 or 49.47 as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long–term community support services and for a risk reserve under par. (fr).

**SECTION 1044.** 46.27 (7) (b) of the statutes is amended to read:

46.27 **(7)** (b) 1m. From the appropriations under s. 20.435 (7) (bd) and (im), the department shall allocate funds to each county to pay the cost of providing long–term community support services under sub. (5) (b) not otherwise paid under s. 49.45 to persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom the county department or aging unit administering the program finds likely to become medically indigent within 6 months by spending excess income or assets for medical or remedial care. The average per person reimbursement under this paragraph may not exceed the state share of the average per person payment rate the department expects under s. 49.45 (6m). The county department or aging unit administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each person receiving long–term community support services. Counties may use unspent funds allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a risk reserve under par. (fr).

**SECTION 1045.** 46.27 (7) (cj) 3. a. of the statutes is amended to read:

46.27 **(7)** (cj) 3. a. An assessment under sub. (6) has been completed for the person prior to the person's admission to the community–based residential facility, whether or not the person is a private pay admittee at the time of admission. The

county may waive this condition in accordance with guidelines established by the department. If the county waives this condition, the county must meet with the person or the person's guardian to discuss the cost–effectiveness of various service options.

**SECTION 1046.** 46.27 (7) (fm) of the statutes is amended to read:

46.27 **(7)** (fm) The department shall, at the request of a county, carry forward up to 10% of the amount allocated under this subsection to the county for a calendar year if up to 10% of the amount so allocated has not been spent or encumbered by the county by December 31 of that year, for use by the county in the following calendar year, except that the amount carried forward shall be reduced by the amount of funds that the county has notified the department that the county wishes to place in a risk reserve under par. (fr). The department may transfer funds within s. 20.435 (7) (bd) to accomplish this purpose. An allocation under this paragraph does not affect a county's base allocation under this subsection and shall lapse to the general fund unless expended within the calendar year to which the funds are carried forward. A county may not expend funds carried forward under this paragraph for administrative or staff costs, except administrative or staff costs that are associated with implementation of the waiver under sub. (11) and approved by the department.

**SECTION 1047.** 46.27 (7) (fr) of the statutes is created to read:

46.27 **(7)** (fr) 1. Notwithstanding s. 46.036 (3) and (5m), a county may place in a risk reserve funds that are allocated under par. (am) or (b) or sub. (11) (c) 3. and are not expended or encumbered for services under this subsection or sub. (11). The county shall notify the department of this decision and of the amount to be placed in the risk reserve. The county shall maintain the risk reserve in an interest–bearing escrow account with a financial institution, as defined in s. 69.30 (1) (b), if the

department has approved the terms of the escrow. All interest from the principal shall be reinvested in the escrow account.

2. The annual amount of a county's expenditure for a risk reserve, as specified in subd. 1., may not exceed 10% of the county's most recent allocation under pars. (am) and (b) and sub. (11) (c) 3. or $750,000, whichever is less. The total amount of the risk reserve, including interest, may not exceed 15% of the county's most recent allocation under this subsection.

3. A county may expend funds maintained in a risk reserve, as specified in subd. 1., for any of the following purposes:

a. To defray costs of long–term community support services under this section.

b. To meet requirements under any contract that the county has with the department to operate a care management organization under s. 46.284.

c. If approved by a resolution of the county board of supervisors, to transfer funds to a family care district.

d. If approved by the department, for administrative or staff costs under this section.

4. A county that maintains a risk reserve, as specified in subd. 1., shall annually, on a form prescribed by the department, submit to the department a record of the status of the risk reserve, including revenues and disbursements.

**SECTION 1048.** 46.27 (7) (g) (intro.) of the statutes is amended to read:

46.27 **(7)** (g) (intro.) The department may carry forward to the next state fiscal year ~~up to $500,000 of~~ funds allocated under this subsection and not encumbered by counties by December 31 or carried forward under par. (fm). The department may transfer moneys within s. 20.435 (7) (bd) to accomplish this purpose. An allocation under this paragraph shall not affect a county's base allocation for the program. The

department may allocate these transferred moneys during the next fiscal year to counties for planning and implementation of resource centers under s. 46.283 or care management organizations under s. 46.284 and for the improvement or expansion of long–term community support services for clients whose cost of care significantly exceeds the average cost of care provided under this section, including any of the following:

**SECTION 1049.** 46.27 (7g) (c) 3. (intro.) of the statutes is amended to read:

46.27 **(7g)** (c) 3. (intro.) The court shall reduce the amount of a claim under subd. 1. by up to ~~$3,000~~ the amount specified in s. 861.33 (2) if necessary to allow the client's heirs or the beneficiaries of the client's will to retain the following personal property:

**SECTION 1050.** 46.27 (7g) (c) 3. c. of the statutes is amended to read:

46.27 **(7g)** (c) 3. c. Other tangible personal property not used in trade, agriculture or other business, not to exceed ~~$1,000~~ in value the amount specified in s. 861.33 (1) (a) 4.

**SECTION 1051.** 46.27 (7g) (c) 5. of the statutes is renumbered 46.27 (7g) (c) 5. a. and amended to read:

46.27 **(7g)** (c) 5. a. If the department's claim is not allowable because of subd. 4. and the estate includes an interest in a home, the court exercising probate jurisdiction shall, in the final judgment or summary findings and order, assign the interest in the home subject to a lien in favor of the department for the amount described in subd. 1. The personal representative or petitioner for summary settlement or summary assignment of the estate shall record the final judgment as provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

**SECTION 1052.** 46.27 (7g) (c) 5. b. of the statutes is created to read:

46.27 **(7g)** (c) 5. b. If the department's claim is not allowable because of subd. 4., the estate includes an interest in a home and the personal representative closes the estate by sworn statement under s. 865.16, the personal representative shall stipulate in the statement that the home is assigned subject to a lien in favor of the department for the amount described in subd. 1. The personal representative shall record the statement in the same manner as described in s. 863.29, as if the statement were a final judgment.

**SECTION 1053.** 46.27 (7g) (h) of the statutes is created to read:

46.27 **(7g)** (h) The department may contract with or employ an attorney to probate estates to recover under this subsection the costs of care.

**SECTION 1054.** 46.27 (9) (a) of the statutes is amended to read:

46.27 **(9)** (a) The department may select up to 5 counties that volunteer to participate in a pilot project under which they will receive certain funds allocated for long–term care. The department shall allocate a level of funds to these counties equal to the amount that would otherwise be paid under s. 20.435 ~~(5)~~ (4) (b) to nursing homes for providing care because of increased utilization of nursing home services, as estimated by the department. In estimating these levels, the department shall exclude any increased utilization of services provided by state centers for the developmentally disabled. The department shall calculate these amounts on a calendar year basis under sub. (10).

**SECTION 1055.** 46.27 (9) (c) of the statutes is amended to read:

46.27 **(9)** (c) All long–term community support services provided under this pilot project in lieu of nursing home care shall be consistent with those services described in the participating county's community options plan under sub. (4) (c) 1. and provided under sub. (5) (b). Unless the department has contracted under s.

~~46.271 (2m)~~ 46.281 (1) (d) with an entity other than the county department, each county participating in the pilot project shall assess persons under sub. (6).

**SECTION 1056.** 46.27 (10) (a) 1. of the statutes is amended to read:

46.27 **(10)** (a) 1. The department shall determine for each county participating in the pilot project under sub. (9) a funding level of state medical assistance expenditures to be received by the county. This level shall equal the amount that the department determines would otherwise be paid under s. 20.435 ~~(5)~~ (4) (b) because of increased utilization of nursing home services, as estimated by the department.

**SECTION 1057.** 46.27 (11) (c) 3. of the statutes is amended to read:

46.27 **(11)** (c) 3. Medical assistance reimbursement for services a county, a private nonprofit agency or an aging unit with which the department contracts provides under this subsection shall be made from the appropriations under s. 20.435 ~~(5)~~ (4) (o) and (7) (b) and (bd).

**SECTION 1058.** 46.27 (11) (c) 4. of the statutes is amended to read:

46.27 **(11)** (c) 4. The department may, from the appropriation under s. 20.435 ~~(5)~~ (4) (o), provide reimbursement for services provided under this subsection by counties that are in excess of the current average annual per person rate, as established by the department, and are less than or equal to the average amount approved in the waiver received under par. (am).

**SECTION 1059.** 46.27 (11) (c) 5n. a. of the statutes is amended to read:

46.27 **(11)** (c) 5n. a. An assessment under sub. (6) has been completed for the person prior to the person's admission to the community–based residential facility, whether or not the person is a private pay admittee at the time of admission. The county may waive this condition in accordance with guidelines established by the department. If the county waives this condition, the county must meet with the

person or the person's guardian to discuss the cost–effectiveness of various service options.

**SECTION 1060.** 46.271 (2m) of the statutes is repealed.

**SECTION 1061.** 46.275 (5) (a) of the statutes is amended to read:

46.275 **(5)** (a) Medical assistance reimbursement for services a county, or the department under sub. (3r), provides under this program is available from the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o). If 2 or more counties jointly contract to provide services under this program and the department approves the contract, medical assistance reimbursement is also available for services provided jointly by these counties.

**SECTION 1062.** 46.275 (5) (c) of the statutes is amended to read:

46.275 **(5)** (c) The total allocation under s. 20.435 ~~(5)~~ (4) (b) and (o) to counties and to the department under sub. (3r) for services provided under this section may not exceed the amount approved by the federal department of health and human services. A county may use funds received under this section only to provide services to persons who meet the requirements under sub. (4) and may not use unexpended funds received under this section to serve other developmentally disabled persons residing in the county.

**SECTION 1063.** 46.275 (5) (d) of the statutes is amended to read:

46.275 **(5)** (d) The department may, from the appropriation under s. 20.435 ~~(5)~~ (4) (o), provide reimbursement for services provided under this section by counties that are in excess of the current average annual per person rate, as established by the department, and are less than the average amount approved in the waiver received under sub. (2).

**SECTION 1064.** 46.277 (5) (d) 1n. a. of the statutes is amended to read:

46.277 **(5)** (d) 1n. a. An assessment under s. 46.27 (6) has been completed for the person prior to the person's admission to the community–based residential facility, whether or not the person is a private pay admittee at the time of admission. The county may waive this condition in accordance with guidelines established by the department. If the county waives this condition, the county must meet with the person or the person's guardian to discuss the cost–effectiveness of various service options.

**SECTION 1065.** 46.278 (6) (d) of the statutes is amended to read:

46.278 **(6)** (d) If a county makes available nonfederal funds equal to the state share of service costs under the waiver received under sub. (3), the department may, from the appropriation under s. 20.435 ~~(5)~~ (4) (o), provide reimbursement for services that the county provides under this section to persons who are in addition to those who may be served under this section with funds from the appropriation under s. 20.435 ~~(5)~~ (4) (b).

**SECTION 1066.** 46.278 (6) (e) of the statutes is renumbered 46.278 (6) (e) 1. (intro.) and amended to read:

46.278 **(6)** (e) 1. (intro.) The department may provide enhanced reimbursement for services under the program for an individual who was relocated to the community by a county department from ~~an~~ one of the following:

a. An intermediate care facility for the mentally retarded that closes under s. 50.03 (14).

2. a. The enhanced reimbursement rate under ~~this paragraph~~ subd. 1. a. and b. shall be determined under a formula that is developed by the department.

**SECTION 1067.** 46.278 (6) (e) 1. b. of the statutes is created to read:

46.278 **(6)** (e) 1. b. An intermediate care facility for the mentally retarded or a distinct part thereof that has a plan of closure approved by the department and that intends to close within 12 months.

**SECTION 1067b.** 46.278 (6) (e) 1. c. of the statutes is created to read:

46.278 **(6)** (e) 1. c. An intermediate care facility for the mentally retarded that has a plan of closure or significant reduction in capacity approved by the department and that intends to close or significantly reduce its capacity within 60 months.

**SECTION 1067c.** 46.278 (6) (e) 2. b. of the statutes is created to read:

46.278 **(6)** (e) 2. b. The enhanced reimbursement rate under subd. 1. c. shall be 90% of the enhanced reimbursement rate under this subd. 2. a.

**SECTION 1068.** 46.2805 of the statutes is created to read:

**46.2805 Definitions; long–term care.** In ss. 46.2805 to 46.2895:

**(1)** "Care management organization" means an entity that is certified as meeting the requirements for a care management organization under s. 46.284 (3) and that has a contract under s. 46.284 (2). "Care management organization" does not mean an entity that contracts with the department to operate one of the following:

(a) A program of all–inclusive care for persons aged 65 or older authorized under 42 USC 1395 to 1395ggg.

(b) A demonstration program known as the Wisconsin partnership program under a federal waiver authorized under 42 USC 1315.

**(2)** "Eligible person" means a person who meets all eligibility criteria under s. 46.286 (1) or (1m).

**(3)** "Enrollee" means a person who is enrolled in a care management organization.

**(4)**. "Family care benefit" means financial assistance for long–term care and support items for an enrollee.

**(5)** "Family care district" means a special purpose district created under s. 46.2895 (1).

**(6)** "Family care district board" means the governing board of a family care district.

**(7)** "Functional and financial screen" means a screen prescribed by the department that is used to determine functional eligibility under s. 46.286 (1) (a) and financial eligibility under s. 46.286 (1) (b).

**(7m)** "Local long–term care council" means a local long–term care council that is appointed under s. 46.282 (2) (a).

**(8)** "Nonprofit organization" has the meaning given in s. 108.02 (19).

**(9)** "Older person" means a person who is aged at least 65.

**(10)** "Resource center" means an entity that meets the standards for operation under s. 46.283 (3) or, if under contract to provide a portion of the services specified under s. 46.283 (3), meets the standards for operation with respect to those services.

**(11)** "Tribe or band" means a federally recognized American Indian tribe or band.

**SECTION 1069.** 46.281 of the statutes is created to read:

**46.281 Powers and duties of the department and the secretary; long–term care. (1)** DUTIES OF THE DEPARTMENT. The department shall do all of the following:

(a) Provide training to members of the council on long–term care who are aged 65 or older or who have physical or developmental disabilities or their family

members, guardians or other advocates, to enable these members to participate in the council's duties.

(b) Provide information to the council on long–term care, including copies of reports submitted to the department by local long–term care councils, and seek recommendations of the council.

(c) Request from the secretary of the federal department of health and human services any waivers of federal medicaid laws necessary to permit the use of federal moneys to provide the family care benefit to recipients of medical assistance. The department shall implement any waiver that is approved and that is consistent with ss. 46.2805 to 46.2895. Regardless of whether a waiver is approved, the department may implement operation of resource centers, care management organizations and the family care benefit.

(d) Before July 1, 2001:

1. Establish, in geographic areas in which resides no more than 29% of the population that is eligible for the family care benefit, a pilot project under which the department may contract with a county, a family care district, a tribe or band or the Great Lakes inter–tribal council, inc., or with any 2 or more of these entities under a joint application, to operate a resource center.

2. In geographic areas in which resides no more than 29% of the population that is eligible for the family care benefit, contract with counties or tribes or bands under a pilot project to demonstrate the ability of counties or tribes or bands to manage all long–term care programs and administer the family care benefit as care management organizations.

(e) After June 30, 2001, if the local long–term care council for the applicable area has developed the initial plan under s. 46.282 (3) (a) 1., contract with entities

specified under par. (d) and, only if specifically authorized by the legislature and if the legislature appropriates necessary funding, contract as so authorized with one or more entities in addition to those specified in par. (d) certified as meeting requirements under s. 46.284 (3) for services of the entity as a care management organization and one or more entities for services specified under s. 46.283 (3) and (4).

(f) Prescribe and implement a per person monthly rate structure for costs of the family care benefit.

(g) In order to maintain continuous quality assurance and quality improvement for resource centers and care management organizations, do all of the following:

1. Prescribe by rule and by contract and enforce performance standards for operation of resource centers and care management organizations.

2. Use performance expectations that are related to outcomes for persons in contracting with care management organizations and resource centers.

3. Conduct ongoing evaluations of the long–term care system specified in ss. 46.2805 to 46.2895.

4. Require that quality assurance and quality improvement efforts be included throughout the long–term care system specified in ss. 46.2805 to 46.2895.

5. Ensure that reviews of the quality of management and service delivery of resource centers and care management organizations are conducted by external organizations and make information about specific review results available to the public.

(h) Require by contract that resource centers and care management organizations establish procedures under which an individual who applies for or

receives the family care benefit may register a complaint or grievance and procedures for resolving complaints and grievances.

(i) Prescribe criteria to assign priority equitably on any necessary waiting lists for persons who are eligible for the family care benefit but who do not meet the criteria under s. 46.286 (3).

**(2)** POWERS OF THE DEPARTMENT. The department may develop risk–sharing arrangements in contracts with care management organizations, in accordance with applicable state laws and federal statutes and regulations.

**(3)** DUTY OF THE SECRETARY. The secretary shall certify to each county, hospital, nursing home, community–based residential facility, adult family home and residential care apartment complex the date on which a resource center that serves the area of the county, hospital, nursing home, community–based residential facility, adult family home or residential care apartment complex is first available to provide a functional and financial screen. To facilitate phase–in of services of resource centers, the secretary may certify that the resource center is available for specified groups of eligible individuals or for specified facilities in the county.

**SECTION 1070.** 46.281 (1) (a) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 1071.** 46.281 (1) (b) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 1072.** 46.282 of the statutes is created to read:

**46.282 Councils on long–term care. (1)** COUNCIL ON LONG–TERM CARE. The council on long–term care appointed under s. 15.197 (5) shall do all of the following:

(a) Assist the department in developing broad policy issues related to long–term care services.

(b) Assist the department in developing, implementing, coordinating and guiding long–term care services and systems, including by reviewing and making nonbinding recommendations to the department on all of the following:

1. The department's standard contract provisions for resource centers and care management organizations.

2. The family care benefit, including the per person rate structure for the benefit.

3. The long–term support community options program under s. 46.27.

4. The community integration programs under ss. 46.275, 46.277 and 46.278.

5. Programs other than those under pars (c) and (d) that provide home and community–based services.

6. The provision of medical assistance services under a fee–for–service system.

(c) Monitor patterns of complaints, grievances and appeals related to long–term care in order to identify issues of statewide importance.

(d) Monitor the numbers of persons on waiting lists.

(e) Review patterns of utilization of various types of services by care management organizations.

(f) Monitor the pattern of care management organization enrollments and disenrollments throughout the state.

(g) Report annually to the legislature under s. 13.172 (2) and to the governor on the status, significant achievements and problems of resource centers, care management organizations and the family care benefit, including all of the following:

1. Numbers of persons served.

2. Costs of long–term care provided under the family care benefit.

3. The number and service areas of resource centers and care management organizations.

4. Waiting list information.

5. Results of reviews of quality of services provided by resource centers and care management organizations.

**(2)** LOCAL LONG–TERM CARE COUNCILS; APPOINTMENT; MEMBERSHIP; TERMS; COMPENSATION AND TRAINING; OFFICERS. (a) *Appointment by a county.* In a county that participates in a pilot project under s. 46.281 (1) (d) and before a county participates in the program under ss. 46.2805 to 46.2895, the following shall be done:

1. The county board of supervisors of the county shall appoint a local long–term care council or the county boards of supervisors of 2 or more contiguous counties shall appoint a local long–term care council, except as follows:

a. In a county with a county executive or a county administrator, the county executive or county administrator shall appoint the local long–term care council, other than as provided in subd. 1. b., subject to confirmation by the county board of supervisors.

b. If the lands of any tribe or band are located in the county or contiguous counties to be served by a local long–term care council, each tribe or band with these lands shall appoint at least one member of the local long–term care council.

2. A county board of supervisors or, in a county with a county executive or a county administrator, the county executive or county administrator shall appoint members of the local long–term care council who are required to be older persons or persons with physical or developmental disabilities or their immediate family members or other representatives from nominations that are submitted to the county board of supervisors or the county executive or county administrator by older

persons or persons with physical or developmental disabilities or their immediate family members or other representatives and by local organizations that represent older persons or persons with physical or developmental disabilities.

(am) *Appointment by a tribe or band or council.* If a tribe or band or the Great Lakes inter–tribal council, inc., intends to apply for a contract to operate a resource center or for certification as a care management organization, the tribe or band or the council shall, as a condition of the application or the certification appoint a local long–term care council.

(b) *Membership.* 1. A local long–term care council that serves a single–county area shall consist of 17 members, at least 9 of whom are older persons or persons with physical or developmental disabilities or their immediate family members or other representatives. The age or disability represented by these 9 members shall correspond to the proportion of numbers of persons, as determined by the department, receiving long–term care in this state who are aged 65 or older or have a physical or developmental disability. The total remaining 8 members shall consist of providers of long–term care services, persons residing in the county with recognized ability and demonstrated interest in long–term care and up to 3 members of the county board of supervisors or other elected officials.

2. A local long–term care council that serves an area of 2 or more contiguous counties shall consist of 23 members, at least 12 of whom are older persons or persons with physical or developmental disabilities or their immediate family members or other representatives. The age or disability represented by these 12 members shall correspond to the proportion of numbers of persons, as determined by the department, receiving long–term care in this state who are aged 65 or older or have

a physical or developmental disability. The total remaining 11 members shall consist of all of the following:

a. Providers of long–term care services.

b. Persons residing in the county with recognized ability and demonstrated interest in long–term care.

c. Either up to 4 members of the county boards of supervisors or other elected officials or, for a council that serves an area of more than 4 contiguous counties, up to one member of the county board of supervisors of the contiguous counties or up to one other elected official in each contiguous county area.

3. A local long–term care council that is appointed by a tribe or band or by the Great Lakes inter–tribal council, inc., shall consist of 21 members, at least 11 of whom are older persons or persons with physical or developmental disabilities or their family members or other representatives. The age or disability represented by these 11 members shall correspond to the proportion of numbers of persons, as determined by the department, receiving long–term care in this state who are aged 65 or older or have a physical or developmental disability. The total remaining 10 members shall consist of providers of long–term care services, persons residing in the county with recognized ability and demonstrated interest in long–term care and up to 3 members of the governing board of the tribe or band or the Great Lakes inter–tribal council, inc., that appoints the local long–term care council.

4. Vacancies in membership in a local long–term care council shall be filled for the residue of the unexpired term in the manner that the original appointments are made. A local long–term care council member may be removed from office for the following reasons:

a. For cause, by a two–thirds vote of each county board of supervisors or governing body of a tribe or band participating in the appointment, on due notice in writing and hearing of the charges against the member.

b. If the member, when appointed, was a member of the county board of supervisors or was another elected official and was not reelected to that office, on due notice in writing.

(c) *Terms.* The members of the local long–term care council appointed under par. (a) shall serve 3–year terms. No member may serve more than 2 consecutive terms. Of the members first appointed under par. (b) 1., 6 shall be appointed for 3 years; 6 shall be appointed for 4 years; and 5 shall be appointed for 5 years. Of the members first appointed under par. (b) 2., 8 shall be appointed for 3 years; 8 shall be appointed for 4 years; and 7 shall be appointed for 5 years. Of the members appointed under par. (b) 3., one–third shall be appointed for 3 years; one–third shall be appointed for 4 years; and one–third shall be appointed for 5 years.

(d) *Compensation and training.* Members of the local long–term care council who are older persons, persons with physical or developmental disabilities or the family members or other representatives of these persons shall receive compensation from the applicable county for reasonable expenses associated with membership participation. The county board of supervisors or, in the case of a member appointed by the governing body of a tribe or band or by the Great Lakes inter–tribal council, inc., the tribe or band or the Great Lakes inter–tribal council, inc., shall provide training to these members to enable them to participate effectively.

(e) *Officers.* At the first meeting of a local long–term care council, members shall elect from their number a chairperson, a secretary and other officers as necessary. Vacancies in these offices shall be filled for the unexpired terms. The

chairperson shall preside at all meetings when present and countersign all actions taken by the local long–term care council. In case of the absence of the chairperson for any meeting, the members present shall choose a temporary chairperson.

**(3)** LOCAL LONG–TERM CARE COUNCILS; POWERS AND DUTIES. (a) A local long–term care council shall do all of the following within the council's area:

1. Develop the initial plan for the structure of the county, multicounty or tribal resource center and care management organization or organizations, including formulating recommendations to the county board or boards of supervisors and, in a county with a county executive or a county administrator, to the county executive or county administrator, to the governing body of the tribe or band or of the Great Lakes inter–tribal council, inc., if applicable, and to the department on all of the following:

a. Whether or not the county, counties, tribe or band or Great Lakes inter–tribal council, inc., should exercise its right to apply under s. 46.283 (1) for a contract to operate a resource center or to apply under s. 46.284 (1) for a contract to operate a care management organization and how the operation should proceed.

b. Whether the county should create a family care district to operate a resource center or under a care management organization.

c. Whether local organizations other than the county should serve as alternatives or in addition to county–operated entities to operate a resource center or a care management organization and, if so, which organizations should be considered.

d. If applicable, how county–operated functions should interact with a resource center or care management organization that is operated by a tribe or band or by the Great Lakes inter–tribal council, inc.

2. a. In the years 2000 and 2001, under criteria that the department prescribes, after consulting with the council on long–term care, evaluate the performance of the care management organization or organizations in the area of the local long–term care council and determine whether additional care management organizations are needed in the area and, if so, recommend this to the department.

b. In the year 2002 and thereafter, under criteria that the department prescribes, evaluate the performance of the care management organization or organizations in the area of the local long–term care council and determine whether additional care management organizations are needed in the area and, if so recommend this to the department.

3. Advise the department regarding applications for initial certification or certification renewal of care management organizations in the area of the local long–term care council, including providing recommendations for organizations applying for certification or recertification, and assist the department in reviewing and evaluating the applications.

4. Receive information about and monitor complaints from persons served by the care management organization in the area concerning whether the numbers of providers of long–term care services used by the care management organization are sufficient to ensure convenient and desirable consumer choice and provide recommendations under subd. 3. to the department about this issue.

5. Review initial plans and existing provider networks of any care management organization in the area to assist the care management organization in developing a network of service providers that includes a sufficient number of accessible, convenient and desirable services.

6. Advise care management organizations about whether to offer optional acute and primary health care services and, if so, how these benefits should be offered.

7. Review the utilization of various types of long–term care services by care management organizations in the area.

8. Monitor the pattern of enrollments and disenrollments in local care management organizations.

9. Identify gaps in services, living arrangements and community resources and develop strategies to build local capacity to serve older persons and persons with physical or developmental disabilities, especially those with long–term care needs.

10. Perform long–range planning on policy for older persons and persons with physical or developmental disabilities.

11. Annually review interagency agreements between a resource center and care management organization or organizations and make recommendations, as appropriate, on the interaction between the resource center and the care management organization or organizations to assure coordination between or among them.

12. Annually review the number and types of complaints and grievances about the long–term care system by persons who receive or may receive care under the system, to determine if a need exists for system changes, and recommend system or other changes if appropriate.

13. Identify potential new sources of community resources and funding for needed services for older persons and persons with physical or developmental disabilities.

14. Support long–term care system improvements to improve services to older persons and persons with physical or developmental disabilities and their families.

15. Annually report to the department and, before July 1, 2001, to the long–term care council concerning significant achievements and problems in the local long–term care system.

(b) A local long–term care council may, within the local long–term care council's area, assume the duties of the county long–term community support planning committee as specified under s. 46.27 (4).

**SECTION 1073.** 46.282 (1) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 1074.** 46.283 of the statutes is created to read:

**46.283 Resource centers. (1)** APPLICATION FOR CONTRACT. (a) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., a county board of supervisors and, in a county with a county executive or a county administrator, the county executive or county administrator, may decide all of the following:

1. Whether to authorize one or more county departments under s. 46.21, 46.215, 46.22 or 46.23 or an aging unit under s. 46.82 (1) (a) 1. or 2. to apply to the department for a contract to operate a resource center and, if so, which to authorize and what client group to serve.

2. Whether to create a family care district to apply to the department for a contract to operate a resource center.

(b) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., the governing body of a tribe or band or of the Great Lakes inter–tribal council, inc., may decide whether to authorize a tribal agency to apply

to the department for a contract to operate a resource center for tribal members and, if so, which client group to serve.

(c) Under the requirements of par. (a), a county board of supervisors may decide to apply to the department for a contract to operate a multicounty resource center in conjunction with the county board or boards of one or more other counties or a county–tribal resource center in conjunction with the governing body of a tribe or band or the Great Lakes inter–tribal council, inc.

(d) Under the requirements of par. (b), the governing body of a tribe or band may decide to apply to the department for a contract to operate a resource center in conjunction with the governing body or governing bodies of one or more other tribes or bands or the Great Lakes inter–tribal council, inc., or with a county board of supervisors.

**(2)** EXCLUSIVE CONTRACT. (a) Before July 1, 2001, the department may contract only with a county, a family care district, the governing body of a tribe or band or the Great Lakes inter–tribal council, inc., or with 2 or more of these entities under a joint application, to operate a resource center.

(b) After June 30, 2001, the department shall contract with the entities specified under s. 46.281 (1) (d) 1. and may, in addition to contracting with these entities and subject to approval of necessary funding, contract to operate a resource center with counties, family care districts, the governing body of a tribe or band or the Great Lakes inter–tribal council, inc., or under a joint application of any of these, or with a private nonprofit organization if the department determines that the organization has no significant connection to an entity that operates a care management organization and if any of the following applies:

1. A county board of supervisors declines in writing to apply for a contract to operate a resource center.

2. A county agency or a family care district applies for a contract but fails to meet the standards specified in sub. (3).

**(3)** STANDARDS FOR OPERATION. The department shall assure that at least all of the following are available to a person who contacts a resource center for service:

(a) Information and referral services and other assistance at hours that are convenient for the public.

(b) A determination of functional eligibility for the family care benefit.

(c) Within the limits of available funding, prevention and intervention services.

(d) Counseling concerning public and private benefits programs.

(e) A determination of financial eligibility and of the maximum amount of cost sharing required for a person who is seeking long–term care services, under standards prescribed by the department.

(f) Assistance to a person who is eligible for the family care benefit with respect to the person's choice of whether or not to enroll in a care management organization and, if so, which available care management organization would best meet his or her needs.

(g) Assistance in enrolling in a care management organization for persons who choose to enroll.

(h) Equitable assignment of priority on any necessary waiting lists, consistent with criteria prescribed by the department, for persons who are eligible for the family care benefit but who do not meet the criteria under s. 46.286 (3).

(i) Assessment of risk for each person who is on a waiting list, as described in par. (h), development with the person of an interim plan of care and assistance to the person in arranging for services.

(j) Transitional services to families whose children with physical or developmental disabilities are preparing to enter the adult service system.

(k) A determination of eligibility for state supplemental payments under s. 49.77, medical assistance under s. 49.46, 49.468 or 49.47 or the federal food stamp program under 7 USC 2011 to 2029.

**(4)** DUTIES. A resource center shall do all of the following:

(a) Provide services within the entire geographic area prescribed for the resource center by the department.

(b) Submit to the department all reports and data required or requested by the department.

(c) Implement internal quality improvement and quality assurance processes that meet standards prescribed by the department.

(d) Cooperate with any review by an external advocacy organization.

(e) Within 6 months after the family care benefit is available to all eligible persons in the area of the resource center, provide information about the services of the resource center, including the services specified in sub. (3) (d), about assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c) and about the family care benefit to all older persons and persons with a physical disability who are residents of nursing homes, community–based residential facilities, adult family homes and residential care apartment complexes in the area of the resource center.

(f) Provide a functional and financial screen to any resident, as specified in par. (e), who requests a screen and assist any resident who is eligible and chooses to enroll in a care management organization to do so.

(g) Provide a functional and financial screen to any person seeking admission to a nursing home, community–based residential facility, residential care apartment complex or adult family home if the secretary has certified that the resource center is available to the person and the facility and the person is determined by the resource center to have a condition that is expected to last at least 90 days that would require care, assistance or supervision.

(h) Provide access to services under s. 46.90 and ch. 55 to a person who is eligible for the services, through cooperation with the county agency or agencies that provide the services.

(i) Assure that emergency calls to the resource center are responded to promptly, 24 hours per day.

**(5)** FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm) and (pa) and (7) (b), (bd) and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

**(6)** GOVERNING BOARD. A resource center shall have a governing board that reflects the ethnic and economic diversity of the geographic area served by the resource center. At least one–fourth of the members of the governing board shall be older persons or persons with physical or developmental disabilities or their family members, guardians or other advocates.

**(7)** CONFIDENTIALITY; EXCHANGE OF INFORMATION. No record, as defined in s. 19.32 (2), of a resource center that contains personally identifiable information, as defined

in s. 19.62 (5), concerning an individual who receives services from the resource center may be disclosed by the resource center without the individual's informed consent, except as follows:

(a) A resource center may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or as necessary for the department to administer the program under ss. 46.2805 to 46.2895.

(b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a resource center acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.284 (7), 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the county of the resource center, if necessary to enable the resource center to perform its duties or to coordinate the delivery of services to the client.

**SECTION 1075.** 46.284 of the statutes is created to read:

**46.284 Care management organizations. (1)** APPLICATION FOR CONTRACT. (a) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., a county board of supervisors and, in a county with a county executive or a county administrator, the county executive or county administrator, may decide all of the following:

1. Whether to authorize one or more county departments under s. 46.21, 46.215, 46.22 or 46.23 or an aging unit under s. 46.82 (1) (a) 1. or 2. to apply to the department for a contract to operate a care management organization and, if so, which to authorize and what client group to serve.

2. Whether to create a family care district to apply to the department for a contract to operate a care management organization.

(b) The governing body of a tribe or band or of the Great Lakes inter–tribal council, inc., may decide whether to authorize a tribal agency to apply to the department for a contract to operate a care management organization for tribal members and, if so, which client group to serve.

(c) Under the requirements of par. (a), a county board of supervisors may decide to apply to the department for a contract to operate a multicounty care management organization in conjunction with the county board or boards of one or more other counties or a county–tribal care management organization in conjunction with the governing body of a tribe or band or the Great Lakes inter–tribal council, inc.

(d) Under the requirements of par. (b), the governing body of a tribe or band may decide to apply to the department for a contract to operate a care management organization in conjunction with the governing body or governing bodies of one or more other tribes or bands or the Great Lakes inter–tribal council, inc., or with a county board of supervisors.

**(2)** CONTRACTS. (a) The department may contract for operation of a care management organization only with an entity that is certified as meeting the requirements under sub. (3). No entity may operate as a care management organization under the requirements of this section unless so certified and under contract with the department.

(b) Within each county, the department shall initially contract to operate a care management organization with the county or a family care district if the county elects to operate a care management organization and the care management organization meets the requirements of sub. (3) and performance standards prescribed by the department. A county that contracts under this paragraph may operate the care management organization for all of the target groups or for a

selected group or groups. With respect to contracts exclusively with counties to operate a care management organization, all of the following apply:

1. Before January 1, 2003, the department may not contract with an organization other than the county to operate a care management organization in the county unless any of the following applies:

a. The county and the local long–term care council agree in writing that at least one additional care management organization is necessary or desirable.

b. The governing body of a tribe or band or the Great Lakes inter–tribal council, inc., elects to operate a care management organization within the area and is certified under sub. (3).

2. After December 31, 2002, and before January 1, 2004, the department may not contract with an organization other than the county to operate a care management organization in the county unless any of the following applies:

a. Subdivision 1. a. or b. applies.

b. The county fails to meet requirements of sub. (3) and performance standards prescribed by the department.

c. The county does not have the capacity to serve all county residents who are entitled to the family care benefit in the client group or groups that the county serves and cannot develop the capacity. If this subd. 2. c. applies, the department may contract with an organization in addition to the county.

3. After December 31, 2003, the department may contract with counties, family care districts, the governing body of a tribe or band or the Great Lakes inter–tribal council, inc., or under a joint application of any of these, or with a private nonprofit organization that has no significant connection to an entity that operates a resource center. Proposals for contracts under this subdivision shall be solicited under a

competitive sealed proposal process under s. 16.75 (2m) and, after consulting with the local long–term care council for the county or counties, the department shall evaluate the proposals primarily as to the quality of care that is proposed to be provided, certify those applicants that meet the requirements specified in sub. (3) (a), select certified applicants for contract and contract with the selected applicants.

**(3)** CERTIFICATION; REQUIREMENTS. (a) If an entity meets the requirements under par. (b) and applicable rules of the department and submits to the department an application for initial certification or certification renewal, the department shall certify that the entity meets the requirements for a care management organization. An application shall include comments about the applicant and recommendations about the application that are provided by the appropriate local long–term care council, as specified under s. 46.282 (3) (a) 3.

(b) To be certified as a care management organization, an applicant shall demonstrate or ensure all of the following:

1. Adequate availability of providers with the expertise and ability to provide services that are responsive to the disabilities or conditions of all of the applicant's proposed enrollees and sufficient representation of programmatic philosophies and cultural orientations to accommodate a variety of enrollee preferences and needs.

2. Adequate availability of providers that can meet the preferences and needs of its proposed service recipients for services at various times, including evenings, weekends and, when applicable, on a 24–hour basis.

3. Adequate availability of providers that are able and willing to perform all of the tasks that are likely to be identified in proposed enrollees' service and care plans.

4. Adequate availability of residential and day services that are geographically accessible to proposed enrollees' homes, families or friends.

5. Adequate supported living arrangements of the types and sizes that meet proposed enrollees' preference and needs.

6. Expertise in determining and meeting the needs of every target population that the applicant proposes to serve and connections to the appropriate service providers.

7. Thorough knowledge of local long–term care and other community resources.

8. The ability to manage and deliver, either directly or through subcontracts or partnerships with other organizations, the full range of benefits to be included in the monthly payment amount.

9. Thorough knowledge of methods for maximizing informal caregivers and community resources and integrating them into a service or care plan.

10. Coverage for a geographic area specified by the department.

11. The ability to develop strong linkages with systems and services that are not directly within the scope of the applicant's responsibility but that are important to the target group that it proposes to serve, including primary and acute health care services.

12. Adequate and competent staffing by qualified personnel to perform all of the functions that the applicant proposes to undertake.

**(4)** DUTIES. A care management organization shall, in addition to meeting all contract requirements, do all of the following:

(a) Accept requested enrollment of any person who is entitled to the family care benefit and of any person who is eligible for the family care benefit and for whom funding is available. No care management organization may disenroll any enrollee,

except under circumstances specified by the department by contract. No care management organization may encourage any enrollee to disenroll in order to obtain long–term care services under the medical assistance fee–for–service system. No involuntary disenrollment is effective unless the department has reviewed and approved it.

(b) Conduct a comprehensive assessment for each enrollee, including an in–person interview with the enrollee, using a standard format developed by the department.

(c) With the enrollee and the enrollee's family or guardian, if appropriate, develop a comprehensive care plan that reflects the enrollee's values and preferences.

(d) Provide or contract for the provision of necessary services and monitor the provided or contracted services.

(e) Provide, within guidelines established by the department, a mechanism by which an enrollee may arrange for, manage and monitor his or her family care benefit directly or with the assistance of another person chosen by the enrollee. The care management organization shall monitor the enrollee's use of a fixed budget for purchase of services or support items from any qualified provider, monitor the health and safety of the enrollee and provide assistance in management of the enrollee's budget and services at a level tailored to the enrollee's need and desire for the assistance.

(f) Provide, on a fee–for–service basis, case management services to persons who are functionally eligible but not financially eligible for the family care benefit.

(g) Meet all performance standards required by the federal government or promulgated by the department by rule.

(h) Submit to the department reports and data required or requested by the department.

(i) Implement internal quality improvement and assurance processes that meet standards prescribed by the department by rule.

(j) Cooperate with external quality assurance reviews.

(k) Meet departmental requirements for protection of solvency.

(L) Annually submit to the department an independent financial audit that meets federal requirements.

**(5)** FUNDING AND RISK–SHARING. (a) From the appropriation accounts under s. 20.435 (4) (b), (g) and (o) and (7) (b) and (bd), the department shall provide funding on a capitated payment basis for the provision of services under this section. Notwithstanding s. 46.036 (3) and (5m), a care management organization that is under contract with the department may expend the funds, consistent with this section, including providing payment, on a capitated basis, to providers of services under the family care benefit.

(b) If the expenditures by a care management organization under par. (a) exceed payments received from the department under par. (a), as determined by the department by contract, the department may share the loss with the care management organization, within the limits prescribed under the contract with the department.

(c) If the payments received from the department under par. (a) exceed the expenditures by a care management organization under par. (a), as determined by the department by contract, the care management organization may retain a portion of the excess payments, within the limits prescribed under the contract with the department, and shall return the remainder to the department.

(d) The department may, by contract, impose solvency protections that the department determines are reasonable and necessary to retain federal financial participation. These protections may include all of the following:

1. The requirement that a care management organization segregate a risk reserve from other funds of the care management organization or the authorizing body for the care management organization.

2. The requirement that interest accruing to the risk reserve remain in the escrow account for the risk reserve.

3. Limitations on the distribution of funds from the risk reserve.

4. The requirement that a care management organization place funds in a risk reserve and maintain the risk reserve in an interest–bearing escrow account with a financial institution, as defined in s. 69.30 (1) (b), or invest funds as specified in s. 46.2895 (4) (j) 2. or 3. Moneys in the risk reserve or invested as specified in this subdivision may be expended only for the provision of services under this section. If a care management organization ceases participation under this section, the funds in the risk reserve or invested as specified in this subdivision, minus any contribution of moneys other than those specified in par. (c), shall be returned to the department. The department shall expend the moneys for the payment of outstanding debts to providers of family care benefit services and for the continuation of family care benefit services to enrollees.

(e) 1. Subject to subd. 2., a care management organization may enter into contracts with providers of family care benefit services and may limit profits of the providers under the contracts.

2. The department shall review the contracts in subd. 1., including rates for the provision of service, to ensure that the contract terms protect services access by

enrollees and financial viability of the care management organization, and may require contract revision.

**(6)** GOVERNING BOARD. A care management organization shall have a governing board that reflects the ethnic and economic diversity of the geographic area served by the care management organization. At least one–fourth of the members of the governing board shall be older persons or persons with physical or developmental disabilities or their family members, guardians or other advocates who are representative of the care management organization's enrollee.

**(7)** CONFIDENTIALITY; EXCHANGE OF INFORMATION. No record, as defined in s. 19.32 (2), of a care management organization that contains personally identifiable information, as defined in s. 19.62 (5), concerning an individual who receives services from the care management organization may be disclosed by the care management organization without the individual's informed consent, except as follows:

(a) A care management organization may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or as necessary for the department to administer the program under ss. 46.2805 to 46.2895.

(b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a care management organization acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the county of the care management organization, if necessary to enable the care management organization to perform its duties or to coordinate the delivery of services to the client.

**SECTION 1077.** 46.285 of the statutes is created to read:

**46.285 Operation of resource center and care management organization. (1)** In order to meet federal requirements and assure federal financial participation in funding of the family care benefit, a county, a tribe or band, a family care district or an organization, including a private, nonprofit corporation, may not directly operate both a resource center and a care management organization, except as follows:

(a) For a pilot project established under s. 46.281 (1) (d) 2., provision of the services specified under s. 46.283 (3) (b), (e), (f) and (g) shall be structurally separate from the provision of services of the care management organization by January 1, 2001.

(b) The department may approve separation of the functions of a resource center from those of a care management organization by a means other than those specified in sub. (2).

**(2)** Except as provided in sub. (1), all of the following apply to operation of both a resource center and a care management organization:

(a) 1. If a county board of supervisors and, if applicable, a county executive or a county administrator, elect to apply to the department for a contract to operate a resource center, the county board of supervisors may create a family care district to apply to the department for a contract to operate a care management organization.

2. If a county board of supervisors and, if applicable, a county executive or a county administrator, elect to apply to the department for a contract to operate a care management organization, the county board of supervisors may create a family care district to apply to the department to operate a resource center.

(b) 1. If the governing body of a tribe or band elects to apply to the department for a contract directly to operate a resource center, tribal or band members may form

a separate corporation to apply to the department for a contract to operate a care management organization. No members of the governing board of the corporation may be members of the tribal or band governing body.

2. If the governing body of a tribe or band elects to apply to the department for a contract directly to operate a care management organization, tribal or band members may form a separate corporation to apply to the department for a contract to operate a resource center. No members of the governing board of the corporation may be members of the tribal or band governing body.

(c) Any county or family care district that seeks to operate jointly with a tribe or band or tribal or band corporation a care management organization or resource center shall submit jointly with the tribe or band or tribal or band corporation an application to the department to operate the care management organization or resource center.

**SECTION 1078.** 46.286 of the statutes is created to read:

**46.286 Family care benefit. (1)** ELIGIBILITY. Except as provided in sub. (1m), a person is eligible for, but not necessarily entitled to, the family care benefit if the person is at least 18 years of age; has a physical disability, as defined in s. 15.197 (4) (a) 2., or infirmities of aging, as defined in s. 55.01 (3); and meets all of the following criteria:

(a) *Functional eligibility.* A person is functionally eligible if any of the following applies, as determined by the department or its designee:

1. The person's functional capacity is at either of the following levels:

a. The comprehensive level, if the person has a long–term or irreversible condition, expected to last at least 90 days or result in death within one year of the date of application, and requires ongoing care, assistance or supervision.

b. The intermediate level, if the person has a condition that is expected to last at least 90 days or result in death within 12 months after the date of application, and is at risk of losing his or her independence or functional capacity unless he or she receives assistance from others.

2. The person has a condition that is expected to last at least 90 days or result in death within 12 months after the date of application and, on the date that the family care benefit became available in the person's county of residence, the person was a resident in a nursing home or had been receiving for at least 60 days, under a written plan of care, long–term care services, as specified by the department, which were funded under any of the following:

a. The long–term support community options program under s. 46.27.

b. Home and community–based waiver programs under 42 USC 1396n (c), including community integration program under s. 46.275, 46.277 or 46.278.

c. The Alzheimer's family caregiver support program under s. 46.87.

d. Community aids under s. 46.40, if documented by the county under a method prescribed by the department.

e. County funding, if documented by the county under a method prescribed by the department.

(b) *Financial eligibility.* A person is financially eligible if all of the following apply:

1. As determined by the department or its designee, either of the following applies:

a. The person would qualify for medical assistance except for financial or disability criteria, and the projected cost of the person's care plan, as calculated by the department or its designee, exceeds the person's gross monthly income, plus

one–twelfth of his or her countable assets, less deductions and allowances permitted by rule by the department.

b. The person is eligible under ch. 49 for medical assistance.

2. If subd. 1. b. applies, the person accepts medical assistance unless he or she is exempt from the acceptance under rules promulgated by the department.

**(1m)** ELIGIBILITY EXCEPTION. A person whose primary disabling condition is developmental disability is eligible for the family care benefit if the person is a resident of a county or is a member of a tribe or band that has operated, before July 1, 2001, a care management organization under s. 46.281 (1) (d) and meets all other eligibility criteria under this subsection.

**(2)** COST SHARING. (a) A person who is determined to be financially eligible under sub. (1) (b) shall contribute to the cost of his or her care an amount that is calculated by the department or its designee after subtracting from the person's gross income, plus one–twelfth of countable assets, the deductions and allowances permitted by the department by rule.

(b) Funds received under par. (a) shall be used by a care management organization to pay for services under the family care benefit.

(c) A person who is required to contribute to the cost of his or her care but who fails to make the required contributions is ineligible for the family care benefit unless he or she is exempt from the requirement under rules promulgated by the department.

**(3)** ENTITLEMENT. (a) Subject to pars. (c) and (d), a person is entitled to and may receive the family care benefit through enrollment in a care management organization if he or she meets the requirements of sub. (1) (intro.), is financially

eligible, fulfills any applicable cost–sharing requirements and meets any of the following criteria:

1. Is functionally eligible at the comprehensive level.

2. Is functionally eligible at the intermediate level and is eligible under sub. (1) (b) 1. b.

3. Is functionally eligible at the intermediate level and is determined by an agency under s. 46.90 (2) or specified in s. 55.05 (1t) to be in need of protective services under s. 55.05 or protective placement under s. 55.06.

4. Is functionally eligible under sub. (1) (a) 2.

5. Is eligible under sub. (1m).

(b) An entitled individual who is enrolled in a care management organization may not be involuntarily disenrolled except as follows:

1. For cause, subject to the requirements of s. 46.284 (4) (a).

2. If the contract between the care management organization and the department is canceled or not renewed. If this circumstance occurs, the department shall assure that enrollees continue to receive needed services through another care management organization or through the medical assistance fee–for–service system or any of the programs specified under sub. (1) (a) 2. a. to d.

3. The department or its designee determines that the person no longer meets eligibility criteria under sub. (1).

(c) Within each county and for each client group, par. (a) shall first apply on the effective date of a contract under which a care management organization accepts a per person per month payment to provide services under the family care benefit to eligible persons in that client group in the county. Within 24 months after this date, the department shall assure that sufficient capacity exists within one or more care

management organizations to provide the family care benefit to all entitled persons in that client group in the county.

(d) The department shall determine the date, which shall not be later than July 1, 2000, on which par. (a) shall first apply to persons who are not eligible for medical assistance under ch. 49.

**(4)** DIVESTMENT; RULES. The department shall promulgate rules relating to prohibitions on divestment of assets of persons who receive the family care benefit, that are substantially similar to applicable provisions under s. 49.453.

**(5)** TREATMENT OF TRUST AMOUNTS; RULES. The department shall promulgate rules relating to treatment of trust amounts of persons who receive the family care benefit, that are substantially similar to applicable provisions under s. 49.454.

**(6)** PROTECTION OF INCOME AND RESOURCES OF COUPLE FOR MAINTENANCE OF COMMUNITY SPOUSE; RULES. The department shall promulgate rules relating to protection of income and resources of couples for the maintenance of the spouse in the community with regard to persons who receive the family care benefit, that are substantially similar to applicable provisions under s. 49.455.

**(7)** RECOVERY OF FAMILY CARE BENEFIT PAYMENTS; RULES. The department shall promulgate rules relating to the recovery from persons who receive the family care benefit, including by liens and from estates, of correctly and incorrectly paid family care benefits, that are substantially similar to applicable provisions under ss. 49.496 and 49.497.

**SECTION 1079.** 46.287 of the statutes is created to read:

**46.287 Hearings. (1)** DEFINITION. In this section, "client" means a person applying for eligibility for the family care benefit, an eligible person or an enrollee.

**(2)** HEARING. (a) 1. Except as provided in subd. 2., a client may contest any of the following applicable matters by filing, within 45 days of the failure of a resource center or care management organization to act on the contested matter within the time frames specified by rule by the department or within 45 days after receipt of notice of a decision in a contested matter, a written request for a hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1):

a. Denial of eligibility under s. 46.286 (1) or (1m).

b. Determination of cost sharing under s. 46.286 (2).

c. Denial of entitlement under s. 46.286 (3).

d. Failure to provide timely services and support items that are included in the plan of care.

e. Reduction of services or support items under the family care benefit.

f. Development of a plan of care that is unacceptable because the plan of care requires the enrollee to live in a place that is unacceptable to the enrollee or the plan of care provides care, treatment or support items that are insufficient to meet the enrollee's needs, are unnecessarily restrictive or are unwanted by the enrollee.

g. Termination of the family care benefit.

h. Imposition of ineligibility for the family care benefit under s. 46.286 (4).

i. Denial of eligibility or reduction of the amounts of the family care benefit under s. 46.286 (5).

j. Determinations similar to those specified under s. 49.455 (8) (a), made under s. 46.286 (6).

k. Recovery of family care benefit payments under s. 46.286 (7).

2. An applicant for or recipient of medical assistance is not entitled to a hearing concerning the identical dispute or matter under both this section and 42 CFR 431.200 to 431.246.

(b) An enrollee may contest a decision, omission or action of a care management organization other than those specified in par. (a), or may contest the choice of service provider. In these instances, the enrollee shall first send a written request for review by the unit of the department that monitors care management organization contracts. This unit shall review and attempt to resolve the dispute. If the dispute is not resolved to the satisfaction of the enrollee, he or she may request a hearing under the procedures specified in par. (a) 1. (intro.).

(c) Information regarding the availability of advocacy services and notice of adverse actions taken and appeal rights shall be provided to a client by the resource center or care management organization in a form and manner that is prescribed by the department by rule.

**SECTION 1080.** 46.288 of the statutes is created to read:

**46.288 Rule–making.** The department shall promulgate as rules all of the following:

**(1)** Standards for performance by resource centers and for certification of care management organizations, including requirements for maintaining quality assurance and quality improvement.

**(2)** Criteria and procedures for determining functional eligibility under s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), cost sharing under s. 46.286 (2) (a) and entitlement under s. 46.286 (3). The rules for determining functional eligibility under s. 46.286 (1) (a) 1. a. shall be substantially similar to eligibility criteria for receipt of the long–term support community options program under s.

46.27. Rules under this subsection shall include definitions of the following terms applicable to s. 46.286:

(a) "Primary disabling condition".

(b) "Mental illness".

(c) "Substance abuse".

(d) "Long–term or irreversible".

(e) "Requires ongoing care, assistance or supervision".

(f) "Condition that is expected to last at least 90 days or result in death within one year".

(g) "At risk of losing independence or functional capacity".

(h) "Gross monthly income".

(i) "Deductions and allowances".

(j) "Countable assets".

**(3)** Procedures and standards for procedures for s. 46.287 (2), including time frames for action by a resource center or a care management organization on a contested matter.

**SECTION 1081.** 46.289 of the statutes is created to read:

**46.289 Transition.** In order to facilitate the transition to the long–term care system specified in ss. 46.2805 to 46.2895, within the limits of applicable federal statutes and regulations and if the secretary of health and family services finds it necessary, he or she may grant a county limited waivers to or exemptions from ss. 46.27 (3) (e) (intro.), 1. and 2. and (f), (5) (d) and (e), (6) (a) 1., 2. and 3. and (b) (intro.), 1. and 2., (6r) (c), (7) (b), (cj) and (cm) and (11) (c) 5m. (intro.) and 6. and 46.277 (3) (a), (4) (a) and (5) (d) 1m., 1n. and 2. and rules promulgated under those provisions.

**SECTION 1082.** 46.2895 of the statutes is created to read:

**46.2895 Family care district. (1)** CREATION. (a) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., a county board of supervisors may create a special purpose district that is termed a "family care district", that is a local unit of government, that is separate and distinct from, and independent of, the state and the county, and that has the powers and duties specified in this section, if the county board does all of the following:

1. Adopts an enabling resolution that does all of the following:

a. Declares the need for establishing the family care district.

b. Specifies the family care district's primary purpose, which shall be to operate, under contract with the department, either a resource center under s. 46.283 or a care management organization under s. 46.284, but not both.

2. Files copies of the enabling resolution with the secretary of administration, the secretary of health and family services and the secretary of revenue.

(b) The county boards of supervisors of 2 or more counties may together create a family care district with the attributes specified in par. (a) (intro.) on a multicounty basis within the counties if the county boards of supervisors comply with the requirements of par. (a) 1. and 2.

**(2)** JURISDICTION. A family care district's jurisdiction is the geographical area of the county or counties of the county board or boards of supervisors who created the family care district.

**(3)** FAMILY CARE DISTRICT BOARD. (a) 1. The county board of supervisors of a county or, in a county with a county administrator or county executive, the county administrator or county executive shall appoint the members of the family care district board, which is the governing board of a family care district under sub. (1) (a).

2. The county boards of supervisors of 2 or more counties shall appoint the members of the family care district board, which is the governing board of the family care district under sub. (1) (b). Each county board shall appoint members in the same proportion that the county's population represents to the total population of all of the counties that constitute the jurisdiction of the family care district.

(b) 1. The family care district board appointed under par. (a) 1. shall consist of 15 persons who are residents of the area of jurisdiction of the family care district. At least one–fourth of the members shall be representative of the client group or groups whom it is the family care district's primary purpose to serve or those clients' family members, guardians or other advocates.

2. The family care district board appointed under par. (a) 2. shall consist of an odd number of members that is at least 15 but not more than 21 persons, all of whom are residents of the area of jurisdiction of the family care district. At least one–fourth of the members shall be representative of the client group or groups whom it is the family care district's primary purpose to serve or those clients' family members, guardians or other advocates.

3. Membership of the family care district board under subd. 1. or 2. shall reflect the ethnic and economic diversity of the area of jurisdiction of the family care district. Up to one–fourth of the members of the board may be elected or appointed officials or employes of the county or counties that created the family care district. No member of the board may have a private financial interest in or profit directly or indirectly from any contract or other business of the family care district.

(c) The members of the family care district board appointed under par. (a) shall serve 3–year terms. No member may serve more than 2 consecutive terms. Of the members first appointed, 5 shall be appointed for 3 years; 5 shall be appointed for

4 years; and 5 or, in the case of a board appointed under par. (b) 2., the remainder, shall be appointed for 5 years. A member shall serve until his or her successor is appointed, unless removed for cause under s. 17.13.

(d) As soon as possible after the appointment of the initial members of the family care district board, the board shall organize for the transaction of business and elect a chairperson and other necessary officers. Each chairperson shall be elected by the board from time to time for the term of that chairperson's office as a member of the board or for the term of 3 years, whichever is shorter, and shall be eligible for reelection. A majority of the board shall constitute a quorum. The board may act based on the affirmative vote of a majority of a quorum.

**(4)** POWERS. Subject to sub. (1) (a) 1. b., a family care district has all the powers necessary or convenient to carry out the purposes and provisions of ss. 46.2805 to 46.2895. In addition to all these powers, a family care district may do all of the following:

(a) Adopt and alter, at pleasure, an official seal.

(b) Adopt bylaws and policies and procedures for the regulation of its affairs and the conduct of its business. The bylaws, policies and procedures shall be consistent with ss. 46.2085 to 46.2895 and, if the family care district contracts with the department under par. (d), with the terms of that contract.

(c) Sue and be sued.

(d) Negotiate and enter into leases or contracts, including a contract with the department to operate either a resource center or a portion of its functions under s. 46.283 or a care management organization under s. 46.284, but not both a resource center or its functions and a care management organization.

(e) Provide services related to services available under the family care benefit, to older persons and persons with disabilities, in addition to the services funded under the contract with the department that is specified under par. (d).

(f) Acquire, construct, equip, maintain, improve or manage a resource center under s. 46.283 or a care management organization under s. 46.284, but not both.

(g) Subject to sub. (8), employ any agent, employe or special adviser that the family care district finds necessary, fix and regulate his or her compensation and provide, either directly or subject to an agreement under s. 66.30 as a participant in a benefit plan of another governmental entity, any employe benefits, including an employe pension plan.

(h) Mortgage, pledge or otherwise encumber the family care district's property or funds.

(i) Buy, sell or lease property, including real estate, and maintain or dispose of the property.

(j) Invest any funds not required for immediate disbursement in any of the following:

1. An interest–bearing escrow account with a financial institution, as defined in s. 69.30 (1) (b).

2. Time deposits in any financial institution, as defined in s. 69.30 (1) (b), if the time deposits mature in not more than 2 years.

3. Bonds or securities issued or guaranteed as to principal and interest by the federal government or by a commission, board or other instrumentality of the federal government.

(k) Create a risk reserve or other special reserve as the family care district board desires or as the department requires under the contract with the department that is specified under par. (d).

(L) Accept aid, including loans, to accomplish the purpose of the family care district from any local, state or federal governmental agency or accept gifts, loans, grants or bequests from individuals or entities, if the conditions under which the aid, loan, gift, grant or bequest is furnished are not in conflict with this section.

(m) Make and execute other instruments necessary or convenient to exercise the powers of the family care district.

**(5)** LIMITATION ON POWERS. A family care district may not issue bonds or levy a tax or assessment.

**(6)** DUTIES. The family care district board shall do all of the following:

(a) Appoint a director, who shall hold office at the pleasure of the board.

(b) Subject to sub. (8), develop and implement a personnel structure and other employment policies for employes of the family care district.

(c) Assure compliance with the terms of any contract with the department under sub. (4) (d).

(d) Establish a fiscal operating year and annually adopt a budget for the family care district.

(e) Contract for any legal services required for the family care district.

(f) Subject to sub. (8), procure liability insurance covering its officers, employes and agents, insurance against any loss in connection with its property and other assets and other necessary insurance; establish and administer a plan of self–insurance; or, subject to an agreement under s. 66.30, participate in a governmental plan of insurance or self–insurance.

**(7)** DIRECTOR; DUTIES. The director appointed under sub. (6) (a) shall do all of the following:

(a) Manage the property and business of the family care district and manage the employes of the district, subject to the general control of the family care district board.

(b) Comply with the bylaws and direct enforcement of all policies and procedures adopted by the family care district board.

(c) Perform duties in addition to those specified in pars. (a) and (b) as are prescribed by the family care district board.

**(8)** EMPLOYMENT AND EMPLOYE BENEFITS OF CERTAIN EMPLOYES. (a) A family care district board shall do all of the following:

1. If the family care district offers employment to any individual who was previously employed by the county, who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district and whose wages, hours and conditions of employment were established in a collective bargaining agreement with the county under subch. IV of ch. 111 that is in effect on the date that the individual commences employment with the district, with respect to that individual, abide by the terms of the collective bargaining agreement concerning the individual's compensation and benefits until the time of the expiration of that collective bargaining agreement or adoption of a collective bargaining agreement with the district under subch. IV of ch. 111 covering the individual as an employe of the district, whichever occurs first.

2. If the family care district offers employment to any individual who was previously employed by the county and who while employed by the county performed

duties relating to the same or a substantially similar function for which the individual is offered employment by the district, but whose wages, hours and conditions of employment were not established in a collective bargaining agreement with the county under subch. IV of ch. 111 that is in effect on the date the individual commences employment with the district, with respect to that individual, initially provide that individual the same compensation and benefits that he or she received while employed by the county.

3. If the family care district offers employment to any individual who was previously employed by the county and who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district, with respect to that individual, recognize all years of service with the county for any benefit provided or program operated by the district for which an employe's years of service may affect the provision of the benefit or the operation of the program.

4. If the county has not established its own retirement system for county employes, adopt a resolution that the family care district be included within the provisions of the Wisconsin retirement system under s. 40.21 (1). In this resolution, the family care district shall agree to recognize 100% of the prior creditable service of its employes earned by the employes while employed by the district.

(b) The county board of supervisors of the area of jurisdiction of the family care district shall do all of the following:

1. If the county has established its own retirement system for county employes, provide that family care district employes are eligible to participate in the county retirement system.

2. Provide that, subject to the terms of any applicable collective bargaining agreement as provided in par. (a) 1., family care district employes are eligible to receive health care coverage under any county health insurance plan that is offered to county employes.

3. Provide that, subject to the terms of any applicable collective bargaining agreement as provided in par. (a) 1., family care district employes are eligible to participate in any deferred compensation or other benefit plan offered by the county to county employes, including disability and long–term care insurance coverage and income continuation insurance coverage.

**(9)** CONFIDENTIALITY OF RECORDS. No record, as defined in s. 19.32 (2), of a family care district that contains personally identifiable information, as defined in s. 19.62 (5), concerning an individual who receives services from the family care district may be disclosed by the family care district without the individual's informed consent, except as required to comply with s. 16.009 (2) (p) or 49.45 (4).

**(10)** EXCHANGE OF INFORMATION. Notwithstanding sub. (9) and ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a family care district acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or 51.437 (4r) (b) in the jurisdiction of the family care district, if necessary to enable the family care district to perform its duties or to coordinate the delivery of services to the client.

**(11)** OBLIGATIONS AND DEBTS NOT THOSE OF COUNTY. The obligations and debts of the family care district are not the obligations or debts of the county that created the family care district.

**(12)** ASSISTANCE TO FAMILY CARE DISTRICT. From moneys in the county treasury that are not appropriated to some other purpose, the county board of supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b) may appropriate moneys to the family care district as a gift or may lend moneys to the family care district.

**(13)** DISSOLUTION. Subject to the performance of the contractual obligations of a family care district and if first approved by the secretary of the department, the family care district may be dissolved by the joint action of the family care district board and county board of supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b) that created the family care district. If the family care district is dissolved, the property of the district shall be transferred to the county board of supervisors that created the family care district except as follows:

(a) If the family care district was created under sub. (1) (b), the county boards of supervisors shall agree on the apportioning of the family care district's property before the district may be dissolved.

(b) If the family care district operates a care management organization under s. 46.284, disposition of any remaining funds in the risk reserve under s. 46.284 (5) (e) shall be made under the terms of the district's contract with the department.

**SECTION 1083.** 46.29 (1) (intro.) of the statutes is amended to read:

46.29 **(1)** (intro.) From the appropriation under s. 20.435 (6) ~~(d)~~ (a), the department shall allocate up to $10,000 in each fiscal year for operation of the council on physical disabilities. The council on physical disabilities shall do all of the following:

**SECTION 1084.** 46.40 (1) (a) of the statutes is amended to read:

46.40 **(1)** (a) Within the limits of available federal funds and of the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute funds for community social, mental health, developmental disabilities and alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2), (2m) and (7) to ~~(8)~~ (9).

**SECTION 1084m.** 46.40 (1) (am) of the statutes is created to read:

46.40 **(1)** (am) In distributing funds for alcohol and other drug abuse treatment programs, the department shall ensure that federal funds received by the department, either directly or indirectly, under the temporary assistance for needy families block grant under 42 USC 601 et. seq., that are allocated for alcohol and other drug abuse treatment programs are distributed only for alcohol and other drug abuse treatment programs that serve individuals who are eligible for temporary assistance for needy families under 42 USC 601 et. seq.

**SECTION 1086.** 46.40 (2) of the statutes is amended to read:

46.40 **(2)** BASIC COUNTY ALLOCATION. ~~For~~ Subject to sub. (9), for social services under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not more than ~~$285,081,000~~ $283,778,800 for fiscal year ~~1997-98~~ 1999–2000 and ~~$284,948,500~~ $279,886,800 for fiscal year ~~1998–99~~ 2000–01.

**SECTION 1087.** 46.40 (2m) (a) of the statutes is amended to read:

46.40 **(2m)** (a) *Prevention and treatment of substance abuse.* For prevention and treatment of substance abuse under 42 USC 300x–21 to 300x–35, the department shall distribute not more than ~~$10,493,900 in fiscal year 1997–98 and not more than $10,224,100 in fiscal year 1998–99~~ $11,318,700 in each fiscal year.

**SECTION 1088.** 46.40 (8) of the statutes is amended to read:

46.40 **(8)** ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. ~~For~~ Subject to sub. (9), for services to persons with Alzheimer's disease and their caregivers under s. 46.87, the department shall distribute not more than $1,877,000 for each fiscal year.

**SECTION 1089.** 46.40 (9) of the statutes is created to read:

46.40 **(9)** TRANSFER OR ADJUSTMENT OF COMMUNITY AIDS ALLOCATIONS. (a) *Transfer to family care program and adult protective services allocation.* If a care management organization under s. 46.285 is available in a county, the department may dispose of the amount allocated under sub. (8) to that county and not more than 21.3% of the amount allocated under sub. (2) to that county as follows:

1. By transferring a portion of those amounts, as determined by the department, to the family care program to fund the services of resource centers under s. 46.283 (5) and the services of care management organizations under s. 46.284 (4).

2. By transferring a portion of those amounts, as determined by the department, to the county's adult protective services allocation under par. (b).

(b) *Adult protective services allocation.* For adult protective services, the department shall distribute the amounts transferred under par. (a) 2. in each fiscal year.

(c) *Adjustment for medical assistance by–in program.* If a former recipient of services funded under the allocation under sub. (2) is a participant in the medical assistance buy–in program under s. 49.472, the department may decrease that allocation by the amount that the department estimates it will incur in providing services to that participant under s. 49.472.

**SECTION 1091d.** 46.45 (2) (a) of the statutes is amended to read:

46.45 **(2)** (a) If on December 31 of any year there remains unspent or unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that year, the department shall carry forward the excess moneys and distribute not less than 50% of the excess moneys to counties having a population of less than 500,000 that are making a good faith effort, as determined by the department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and families, notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not less than 50% of the moneys distributed to the county under this subsection for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services. If a county does not comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the department may recover any amounts distributed to that county under this paragraph after June 30, 2001, by billing the county or deducting from that county's allocation under s. 46.40 (2).

**SECTION 1091m.** 46.46 (2) of the statutes is amended to read:

46.46 **(2)** If the department proposes to use any moneys from the appropriation account under s. 20.435 (8) (mb) for any purpose other than the purpose specified in sub. (1), the department shall submit a plan for the proposed use of those moneys to the secretary of administration by September 1 of the fiscal year after the fiscal year in which those moneys were received. If the secretary of administration approves the plan, he or she shall submit the plan to the joint committee on finance by October 1 of the fiscal year after the fiscal year in which those moneys were received. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may

implement the plan. If within 14 working days after the date of the submittal by the secretary of administration the cochairpersons of the committee notify him or her that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan only with the approval of the committee.

**SECTION 1092d.** 46.47 of the statutes is repealed.

**SECTION 1093.** 46.48 (3) of the statutes is renumbered 46.481 (1).

**SECTION 1094.** 46.48 (6) of the statutes is amended to read:

46.48 **(6)** CAREER YOUTH DEVELOPMENT CENTER. The department shall distribute ~~$110,000~~ $80,000 in each fiscal year to the career youth development center in the city of Milwaukee~~. Of these amounts, $80,000 shall be distributed in each fiscal year~~ for the operation of a minority youth substance abuse treatment program ~~and $30,000 shall be distributed in each fiscal year for drug prevention programs for high school athletes in the Milwaukee public school system~~.

**SECTION 1095.** 46.48 (9) of the statutes is renumbered 46.481 (2).

**SECTION 1096.** 46.48 (27) of the statutes is renumbered 46.481 (3) and amended to read:

46.481 **(3)** GRANTS TO RUNAWAY PROGRAMS. The department shall distribute ~~$100,000~~ $50,000 in each fiscal year as grants to programs that provide services for ~~runaways~~ runaway children.

**SECTION 1097.** 46.48 (28) of the statutes is renumbered 46.481 (4).

**SECTION 1098.** 46.48 (29) of the statutes is amended to read:

46.48 **(29)** ARC COMMUNITY SERVICES, INC. The department shall distribute ~~$87,500 in fiscal year 1997–98 and~~ $175,000 in each fiscal year ~~1998–99~~ to ARC Community Services, Inc., for a program to provide substance abuse day treatment services for pregnant and postpartum women and their infants.

**SECTION 1099.** 46.481 (intro.) of the statutes is created to read:

**46.481 Grants for children's community programs.** (intro.) From the appropriation under s. 20.435 (3) (bc), the department shall distribute the following grants for children's community programs:

**SECTION 1100.** 46.485 (2g) (intro.) of the statutes is amended to read:

46.485 **(2g)** (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (b), the department may in each fiscal year transfer funds to the appropriation under s. 20.435 (7) (kb) for distribution under this section and from the appropriation under s. 20.435 (7) (mb) the department may not distribute more than $1,330,500 in each fiscal year to applying counties in this state that meet all of the following requirements, as determined by the department:

**SECTION 1101.** 46.485 (3r) of the statutes is amended to read:

46.485 **(3r)** Funds that a county does not encumber before 24 months after June 30 of the fiscal year in which the funds were distributed under sub. (2g) lapse to the appropriation under s. 20.435 ~~(5)~~ (4) (b).

**SECTION 1103.** 46.495 (1) (d) of the statutes is amended to read:

46.495 **(1)** (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute the funding for social services, including funding for foster care or treatment foster care of a child on whose behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2) ~~and~~, (8) and (9) (b). Each county's required match for the distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the county's distributions under s. 46.40 (2) and (8) for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985

stats., to spend for juvenile delinquency–related services from its distribution for 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

**SECTION 1104g.** 46.513 of the statutes is created to read:

**46.513 Services for children and families.** From the appropriation under s. 20.435 (3) (bm), the department shall distribute grants to counties in each fiscal year to fund services for children and families. The department shall determine the amount of a county's grant under this section based on the county's proportion of the state's population as last estimated by the department of administration under s. 16.96. The department of health and family services shall distribute the grants under this section in the calendar year after the calendar year in which the amount available for those grants is certified by the department of revenue under s. 77.63 (2).

**SECTION 1105.** 46.70 (2) of the statutes is amended to read:

46.70 **(2)** From the appropriations under s. 20.435 (7) ~~(dL)~~ (kL) and (o), the department may make available to any of the 11 federally recognized tribal governing bodies in this state funds for the purposes stated in sub. (1). Beginning July 1, 1991, and ending September 30, 1991, the department may award to each tribal governing body up to $6,800. Beginning October 1, 1991, and ending

September 30, 1992, the department may award to each tribal governing body up to $27,200. Beginning October 1, 1992, and ending June 30, 1993, the department may award to each tribal governing body up to $20,400. Receipt of funds is contingent upon department approval of an application submitted by a tribal governing body. The department may partially approve any application and provide only part of the funds requested. Each application shall contain a plan for expenditure of funds, consistent with the purposes stated in sub. (1).

**SECTION 1106.** 46.71 (1) (intro.) of the statutes is amended to read:

46.71 **(1)** (intro.) From the appropriation under s. 20.435 (7) ~~(dm)~~ (km), the department shall, for the development of new drug abuse prevention, treatment and education programs that are culturally specific with respect to American Indians or to supplement like existing programs, allocate a total of not more than $500,000 in each fiscal year to all the elected governing bodies of federally recognized American Indian tribes or bands that submit to the department plans, approved by the department, that do all of the following:

**SECTION 1107.** 46.71 (2) of the statutes is amended to read:

46.71 **(2)** The amount of funds allocated by the department under sub. (1) may not exceed the amounts appropriated under s. 20.435 (7) ~~(dm)~~ (km).

**SECTION 1108.** 46.715 of the statutes is repealed.

**SECTION 1109.** 46.76 (3) of the statutes is repealed.

**SECTION 1110.** 46.765 of the statutes is repealed.

**SECTION 1111.** 46.81 (2) of the statutes is amended to read:

46.81 **(2)** From the appropriation under s. 20.435 (7) ~~(dj)~~ (dh), the department shall allocate $2,298,400 in each fiscal year to aging units to provide benefit specialist services for older individuals. The department shall ensure that each

aging unit receives funds and shall take into account the proportion of the state's population of low–income older individuals who reside in a county.

**SECTION 1112.** 46.81 (5) of the statutes is amended to read:

46.81 **(5)** From the appropriation under s. 20.435 (7) ~~(dj)~~ (dh) the department shall allocate $182,500 in each fiscal year to area agencies on aging. Each area agency on aging shall use the funds for training, supervision and legal back–up services for benefit specialists within its area.

**SECTION 1113.** 46.82 (3) (a) 19. of the statutes is created to read:

46.82 **(3)** (a) 19. If an aging unit under sub. (1) (a) 1. or 2. and if authorized under s. 46.283 (1) (a) 1., apply to the department to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate the resource center.

**SECTION 1114.** 46.82 (3) (a) 20. of the statutes is created to read:

46.82 **(3)** (a) 20. If an aging unit under sub. (1) (a) 1. or 2. and if authorized under s. 46.284 (1) (a) 1., apply to the department to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), operate the care management organization and, if appropriate, place funds in a risk reserve.

**SECTION 1115.** 46.856 of the statutes is renumbered 46.856 (2), and 46.856 (2) (intro.), as renumbered, is amended to read:

46.856 **(2)** (intro.) From the appropriation under s. 20.435 (7) (bg), the department shall award a grant to at least one public agency or private nonprofit organization~~, as defined in s. 108.02 (19),~~ to do all of the following:

**SECTION 1116.** 46.856 (1) of the statutes is created to read:

46.856 **(1)** In this section:

(a) "Private nonprofit organization" has the meaning given in s. 108.02 (19).

(b) "Public agency" means a county, city, village, town or school district or an agency of this state or of a county, city, village, town or school district.

**SECTION 1117.** 46.86 (1) of the statutes is amended to read:

46.86 **(1)** From the appropriation ~~under s. 20.435 (7) (cp) and (md), the department may award funds and from the appropriation~~ under s. 20.435 (7) (md) the department may award not more than $125,500 in each fiscal year as grants to counties and private nonprofit entities for treatment for pregnant women and mothers with alcohol and other drug abuse treatment needs; mothers who have alcohol and other drug abuse treatment needs and dependent children up to the age of 5 years; and the dependent children up to the age of 5 years of those mothers. The grants shall be awarded in accordance with the department's request–for–proposal procedures. The grants shall be used to establish community–based programs, residential family–centered treatment programs or home–based treatment programs. The program under a grant must include alcohol and other drug abuse treatment services, parent education, support services for the children of the women who are enrolled in the program, vocational assistance and housing assistance. Any program funded under this subsection must also provide follow–up aftercare services to each woman and her children for at least 2 years after the date on which a woman has left the program.

**SECTION 1118.** 46.86 (5) of the statutes is amended to read:

46.86 **(5)** From the appropriation under s. 20.435 (7) (md), the department may not distribute more than ~~$35,000~~ $235,000 in each fiscal year as a grant to ~~the~~ ARC ~~community services center~~ Community Services, Inc., for women and children in Dane ~~county, to address a projected operation deficit of the center;~~ County, to provide

~~additional~~ funding for staff of the center and transportation and meal expenses for chemically dependent women who receive services from the center~~; and to provide additional funding for staff of the center~~.

**SECTION 1119.** 46.86 (6) of the statutes is created to read:

46.86 **(6)** (a) From the appropriation under s. 20.435 (7) (md), the department may award not more than $1,167,900 in each fiscal year as grants to counties and private entities to provide community–based alcohol and other drug abuse treatment programs that do all of the following:

1. Meet special needs of women with problems resulting from alcohol or other drug abuse.

2. Emphasize parent education, vocational and housing assistance and coordination with other community programs and with treatment under intensive care.

(b) The department shall do all of the following with respect to the grants under par. (a):

1. Award the grants in accordance with the department's request–for–proposal procedures.

2. Ensure that the grants are distributed in both urban and rural communities.

3. Evaluate the programs under the grants by use of client–outcome measurements that the department develops.

**SECTION 1120.** 46.93 (2) (intro.) of the statutes is amended to read:

46.93 **(2)** PURPOSE; ALLOCATION. (intro.) From the appropriation under s. 20.434 (1) ~~(b)~~ (ky), the board shall award not more than $439,300 in each ~~of~~ fiscal ~~years 1997–98 and 1998–99~~ year for grants to organizations to provide adolescent pregnancy prevention programs or pregnancy services that include health care,

education, counseling and vocational training. Types of services and programs that are eligible for grants include all of the following:

**SECTION 1120c.** 46.95 (2) (a) of the statutes is amended to read:

46.95 **(2)** (a) The secretary shall make grants from the appropriations under s. 20.435 (3) (cd) ~~and~~, (hh) and (km) to organizations for the provision of any of the services specified in sub. (1) (d). Grants may be made to organizations which have provided those domestic abuse services in the past or to organizations which propose to provide those services in the future. No grant may be made to fund services for child or unborn child abuse or abuse of elderly persons.

**SECTION 1120g.** 46.95 (2) (f) (intro.) of the statutes is amended to read:

46.95 **(2)** (f) (intro.) From the appropriations under s. 20.435 (3) (cd) ~~and~~, (hh) and (km), the department shall do all of the following:

**SECTION 1120m.** 46.95 (2) (f) 7. of the statutes is created to read:

46.95 **(2)** (f) 7. Award a grant of $25,000 in each fiscal year to each of 30 organizations to enhance support services. Funding may be used for such purposes as case management; children's programming; assisting victims of domestic abuse to find employment; and training in and activities promoting self–sufficiency.

**SECTION 1120n.** 46.95 (2) (f) 8. of the statutes is created to read:

46.95 **(2)** (f) 8. Award $200,000 in grants in each fiscal year to organizations for domestic abuse services for individuals who are members of underserved populations, including racial minority group members and individuals with mental illness or developmental disabilities. A grant to an organization may not exceed $60,000.

**SECTION 1120p.** 46.95 (2) (f) 9. of the statutes is created to read:

46.95 **(2)** (f) 9. Award a grant of $25,000 in fiscal year 1999–2000 and a grant of $50,000 in each fiscal year thereafter to the Wisconsin Coalition Against Domestic Violence for the cost of a staff person to provide assistance in obtaining legal services to domestic abuse victims.

**SECTION 1120r.** 46.95 (2) (g) of the statutes is created to read:

46.95 **(2)** (g) Grants made and moneys expended under this subsection from the appropriation under s. 20.435 (3) (km) may be used only for the benefit of individuals whose family incomes do not exceed 250% of the poverty line, as defined in s. 49.001 (5).

**SECTION 1121g.** 46.986 of the statutes is created to read:

**46.986 Respite care program. (1)** DEFINITIONS. In this section:

(a) "Abuse" means the wilful infliction on a person of physical pain or injury or unreasonable confinement.

(b) "Caregiver" means an individual who lives in the home of a person with special needs and provides care or supervision for that person.

(c) "County department" means a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437.

(d) "Neglect" means an act, omission or course of conduct that, because of the failure to provide adequate food, shelter, clothing, medical care or dental care, creates a significant danger to the physical and mental health of a person.

(e) "Provider" means an individual or agency that a caregiver selects, with input to the selection by the person with special needs, if competent, to provide respite care to the person with special needs.

(f) "Respite care" means care that is provided to a person with special needs, or a person at risk of abuse or neglect, in order to provide temporary relief to the caregiver of that person or when the caregiver is unable to provide care.

(g) "Special need" means a person's need resulting from an emotional, behavioral, cognitive, physical or personal condition that necessitates receipt of care or supervision in order to meet the person's basic needs or to prevent harm from occurring to him or her.

(h) "Tribe or band" means the governing body of a federally recognized American Indian tribe or band in this state.

**(2)** PROGRAM. (a) From the appropriation account under s. 20.435 (7) (br), the department shall contract for the administration of life–span respite care projects with an organization to which all of the following apply:

1. The organization is a private, nonprofit organization, as defined in s. 108.02 (19), that is capable of operating on a statewide basis and has expertise in respite care issues.

2. At least 51% of the members of the organization's governing board are consumers of respite care or caregivers.

3. The membership of the organization's governing board includes providers and elected officials and represents the diverse geographical areas and cultural groups of the state.

(b) The organization with which the department contracts under par. (a) shall do all of the following:

1. After consulting with the department, county departments, tribes or bands, providers and caregivers, prescribe criteria for the distribution of grants to conduct life–span respite care projects. The criteria shall include the requirement that grant

funds be equally distributed among 5 administrative regions of the state, as prescribed by the department.

2. Solicit applications from and, using the criteria under subd. 1., award in the 1999–2001 state fiscal biennium up to one grant in each of the 5 administrative regions prescribed by the department to any of the following to conduct a life–span respite care project:

a. A county department.

b. A tribe or band.

c. A community–based private, nonprofit entity.

d. A community–based private entity that is operated for profit.

3. Require that the grantee contribute matching funds to the operation of the life–span respite care project in the following amounts:

a. Ten percent of the amount of the grant awarded by the organization, as direct services, which shall be used by the grantee to fund payments from caregivers to providers.

b. Fifteen percent of the amount of the grant awarded by the organization, as in–kind services.

4. Oversee grants awarded under subd. 2., and monitor, provide technical assistance to and evaluate the life–span respite care projects.

5. Develop best practice guidelines and a training curriculum that may be used by life–span respite care projects that are funded under this section and that may be used, if appropriate, by any other respite care providers in the state.

6. Promote the exchange of information and coordination among the state, local governments, life–span respite care projects, entities serving persons with special

needs, families of persons with special needs and persons in favor of the promotion of respite care services, to encourage the efficient provision of respite care services.

7. Act as a statewide clearinghouse of information about respite care and existing respite care programs and resources and operate a library of materials that may be lent to persons or organizations upon request.

8. Conduct analyses of respite care policies and proposals, and identify and promote resolution of respite care policy concerns at legislative, state and local levels.

**(3)** GRANTS NOT TO SUPPLANT OTHER MONEYS. Moneys awarded as grants under sub. (2) (b) may not be used to supplant moneys otherwise available and, prior to receipt of the grant, dedicated by the grantee to respite care.

**(4)** LIFE–SPAN RESPITE CARE PROJECT REQUIREMENTS. Life–span respite care projects for which a grant is awarded under sub. (2) (b) 2. shall do all of the following:

(a) Operate in a culturally competent manner and be sensitive to the unique needs and strengths of a person with special needs and his or her family or caregiver.

(b) Identify, coordinate and develop resources for respite care that are built, to the extent possible, on existing community support services.

(c) Recruit and screen providers.

(d) Identify training resources and organize training programs for providers that address different populations in need of respite care.

(e) Facilitate access by caregivers and families of persons with special needs to an array of respite care service options for which the person with special needs is eligible, that are responsive to caregiver and family needs and that are available before families and primary caregivers reach a crisis situation.

(f) Assist caregivers and families of persons with special needs to identify and coordinate funds and resources available for respite care for which the person with

special needs is eligible, and authorize and provide a variety of funds and resources to make available additional respite care services for persons with special needs, under eligibility criteria established by the project.

**(5)** ADVISORY COMMITTEES. Each grantee of moneys to conduct a life–span respite care project under sub. (2) shall create an advisory committee that shall advise the project on how the project may best serve persons with special needs and their caregivers. Consumers of respite care services and caregivers shall comprise at least 51% of the advisory committee membership and shall be representative of the diversity of persons who receive services under the project. Other members shall include providers, representatives of local service agencies and members of the community.

**(6)** By June 1, 2004, the department and the organization with which the department contracts under sub. (2) (a) shall together evaluate the life–span respite care projects that are conducted under this section. If, following the evaluation, the department and the organization together determine that it is feasible to integrate the life–span respite care projects with any integrated, organized system of long–term care services that is operated by the department, the department shall, by July 1, 2004, provide to the department of administration statutory language that is proposed for inclusion in the 2005–07 biennial budget bill to effect the integration.

**SECTION 1122.** 46.99 of the statutes is created to read:

**46.99 Brighter futures initiative. (1)** DEFINITIONS. In this section:

(a) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.

(b) "Public agency" means a county, city, village, town or school district or an agency of this state or of a county, city, village, town or school district.

**(2)** AWARDING OF GRANTS. (a) From the appropriations under s. 20.435 (3) (eg), (km) and (nL), the department, beginning on January 1, 2001, shall distribute $2,125,200 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more and $1,229,300 in each fiscal year to applying county departments under s. 46.22, 46.23, 51.42 or 51.437 operating in counties other than a county having a population of 500,000 or more to provide programs to accomplish all of the following:

1. Prevent and reduce the incidence of youth violence and other delinquent behavior.

2. Prevent and reduce the incidence of youth alcohol and other drug use and abuse.

3. Prevent and reduce the incidence of child abuse and neglect.

4. Prevent and reduce the incidence of nonmarital pregnancy and increase the use of abstinence as a method of preventing nonmarital pregnancy.

5. Increase adolescent self–sufficiency by encouraging high school graduation, vocational preparedness, improved social and other interpersonal skills and responsible decision making.

(b) A nonprofit corporation or public agency that is applying for a grant under par. (a) shall provide to the department a proposed service plan for the use of the grant moneys. If the department approves the service plan, the department may award the grant. The department shall award the grants on a competitive basis and for a 3–year period.

**(3)** OUTCOMES EXPECTED. (a) The department shall provide a set of benchmark indicators to measure the outcomes that are expected of a program funded under sub.

(2) (a). Those benchmark indicators shall measure all of the following among youth who have participated in a program funded under sub. (2) (a):

1. The rate of participation in violent or other delinquent behavior.

2. The rate of alcohol and other drug use and abuse.

3. The rate of nonmarital pregnancy and the rate at which abstinence is used to prevent nonmarital pregnancy.

4. The rate of substantiated cases of child abuse and neglect.

5. The development of self–sufficiency, as indicated by the rate of high school graduation, the degree of vocational preparedness, any improvements in social and other interpersonal skills and in responsible decision making and any other indicators that the department considers important in indicating the development of adolescent self–sufficiency.

6. Any other indicators that the department considers important in indicating the development of positive behaviors among adolescents.

(b) The department shall require a grant recipient under sub. (2) (a) to provide an annual report showing the status of its program participants in terms of the benchmark indicators provided under par. (a) and may renew a grant only if the recipient shows improvement on those indicators.

**SECTION 1123d.** 46.995 (title) of the statutes is repealed and recreated to read:

**46.995** (title) **Tribal adolescent services.**

**SECTION 1123e.** 46.995 (1) (title) of the statutes is renumbered 46.995 (3) (title) and amended to read:

46.995 **(3)** (title) ~~DEFINITION~~ ADOLESCENT PREGNANCY PREVENTION SERVICES.

**SECTION 1123f.** 46.995 (1) (intro.) of the statutes is renumbered 46.995 (3) (a) (intro.) and amended to read:

46.995 **(3)** (a) (intro.) In this ~~section~~ subsection, "high–risk adolescent" means a person who is at least 13 years of age but under the age of 20 and who is at risk of becoming an unmarried parent as an adolescent and of incurring long–term economic dependency on public funds and is characterized by one or more of the following:

**SECTION 1123g.** 46.995 (1) (a) of the statutes is renumbered 46.995 (3) (a) 1.

**SECTION 1123h.** 46.995 (1) (b) of the statutes is renumbered 46.995 (3) (a) 2.

**SECTION 1123i.** 46.995 (1) (c) of the statutes is renumbered 46.995 (3) (a) 3.

**SECTION 1123j.** 46.995 (1) (d) of the statutes is renumbered 46.995 (3) (a) 4.

**SECTION 1123k.** 46.995 (1) (e) of the statutes is renumbered 46.995 (3) (a) 5.

**SECTION 1123L.** 46.995 (1) (f) of the statutes is renumbered 46.995 (3) (a) 6.

**SECTION 1123p.** 46.995 (1m) of the statutes is created to read:

46.995 **(1m)** TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation account under s. 20.435 (3) (km), the department may allocate $172,500 in each fiscal year and, from the appropriation account under s. 20.435 (3) (eg), the department may allocate $7,500 in each fiscal year to provide the grants specified in subs. (2), (3) (b) and (4m) (b).

**SECTION 1124.** 46.995 (2) (intro.) of the statutes is amended to read:

46.995 **(2)** ADOLESCENT SELF–SUFFICIENCY SERVICES. (intro.) From the appropriation account under s. 20.435 (3) ~~(eg)~~ (ky), the department may allocate $582,100 in each fiscal year to provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide services in counties or to a tribe or band for adolescent parents which shall emphasize high school graduation and vocational preparation, training and experience and may be structured so as to strengthen the adolescent parent's

capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills. The public or private entity seeking to receive a grant to provide these services shall develop a proposed service plan that is approved by the department. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on all of the following factors:

**SECTION 1124g.** 46.995 (2) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is renumbered 46.995 (2) and amended to read:

46.995 **(2)** ADOLESCENT SELF–SUFFICIENCY SERVICES. From the ~~appropriation account under s. 20.435 (3) (ky), the department may allocate $582,100 in each fiscal year to~~ allocations under sub. (1m), the department may provide a grant annually ~~to a public or private entity or~~ in the amount of $85,000 to the elected governing body of a federally recognized American Indian tribe or band to provide services ~~in counties or to a tribe or band~~ for adolescent parents which shall emphasize high school graduation and vocational preparation, training and experience and may be structured so as to strengthen the adolescent parent's capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills. The ~~public or private entity~~ tribe or band seeking to receive a grant to provide these services shall develop a proposed service plan that is approved by the department. ~~Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on all of the following factors:~~

**SECTION 1124h.** 46.995 (2) (a) of the statutes is repealed.

**SECTION 1124i.** 46.995 (2) (b) of the statutes is repealed.

**SECTION 1124j.** 46.995 (2) (c) of the statutes is repealed.

**SECTION 1124k.** 46.995 (2) (d) of the statutes is repealed.

**SECTION 1125.** 46.995 (3) of the statutes is amended to read:

46.995 **(3)** ADOLESCENT PREGNANCY PREVENTION SERVICES. From the appropriation account under s. 20.435 (3) ~~(eg)~~ (ky), the department may allocate $340,000 in each fiscal year to provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide to high–risk adolescents pregnancy and parenthood prevention services which shall be structured so as to increase development of decision–making and communications skills, promote graduation from high school and expand career and other options and which may address needs of adolescents with respect to pregnancy prevention. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on the factors specified under sub. (2) (a) to (d).

**SECTION 1125g.** 46.995 (3) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is renumbered 46.995 (3) (b) and amended to read:

46.995 **(3)** (b) From the ~~appropriation account under s. 20.435 (3) (ky), the department may allocate $340,000 in each fiscal year to~~ allocations under sub. (1m), the department may provide a grant annually ~~to a public or private entity or~~ in the amount of $65,000 to the elected governing body of a federally recognized American Indian tribe or band to provide to high–risk adolescents pregnancy and parenthood prevention services which shall be structured so as to increase development of decision–making and communications skills, promote graduation from high school and expand career and other options and which may address needs of adolescents with respect to pregnancy prevention. ~~Except with respect to award of a grant to a~~

~~tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on the factors specified under sub. (2) (a) to (d).~~

**SECTION 1125r.** 46.995 (4) of the statutes is repealed.

**SECTION 1126.** 46.996 of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 1127.** 46.996 (intro.) of the statutes is amended to read:

**46.996 Adolescent services.** (intro.) From the appropriation account under s. 20.435 (3) (eg), the department shall ~~allocate funds in~~ distribute $62,500 and from the appropriation account under s. 20.435 (3) (ky), the department shall distribute $287,500, for the following ~~amounts~~:

**SECTION 1128d.** 46.997 (title) of the statutes is renumbered 46.995 (4m) (title).

**SECTION 1128g.** 46.997 (1) (intro.) of the statutes is renumbered 46.995 (4m) (a) (intro.) and amended to read:

46.995 **(4m)** (a) (intro.) In this ~~section~~ subsection:

**SECTION 1128i.** 46.997 (1) (a) of the statutes is renumbered 46.995 (4m) (a) 1.

**SECTION 1128k.** 46.997 (1) (b) of the statutes is renumbered 46.995 (4m) (a) 2.

**SECTION 1128m.** 46.997 (1) (c) of the statutes is repealed.

**SECTION 1128p.** 46.997 (1) (d) of the statutes is repealed.

**SECTION 1128r.** 46.997 (1) (e) of the statutes is repealed.

**SECTION 1128t.** 46.997 (1) (f) of the statutes is repealed.

**SECTION 1129.** 46.997 (2) (intro.) of the statutes is amended to read:

46.997 **(2)** (intro.) From the appropriation account under s. 20.435 (3) (eg), the department shall ~~allocate not more than $210,000~~ distribute $52,500 and from the appropriation account under s. 20.435 (3) (ky), the department shall distribute

$157,500 in each fiscal year to make grants to applying organizations for the provision, on a regional or tribal project basis, of information to communities in order to increase community knowledge about problems of adolescents and information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

**SECTION 1129g.** 46.997 (2) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is renumbered 46.995 (4m) (b) (intro.) and amended to read:

46.995 **(4m)** (b) (intro.) From the ~~appropriation account under s. 20.435 (3) (eg), the department shall distribute $52,500 and from the appropriation account under s. 20.435 (3) (ky), the department shall distribute $157,500 in each fiscal year to make grants to applying organizations~~ allocations under sub. (1m), the department may provide a grant annually in the amount of $30,000 to the elected governing body of a federally recognized American Indian tribe or band for the provision~~, on a regional or tribal project basis,~~ of information to ~~communities~~ members of the tribe or band in order to increase community knowledge about problems of adolescents and information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

**SECTION 1129h.** 46.997 (2) (a) of the statutes is renumbered 46.995 (4m) (b) 1.

**SECTION 1129i.** 46.997 (2) (b) of the statutes is renumbered 46.995 (4m) (b) 2.

**SECTION 1129j.** 46.997 (2) (c) of the statutes is renumbered 46.995 (4m) (b) 3.

**SECTION 1129k.** 46.997 (2) (d) of the statutes is renumbered 46.995 (4m) (b) 4.

**SECTION 1129m.** 46.997 (3) of the statutes is renumbered 46.995 (4m) (c) and amended to read:

46.995 **(4m)** (c) Each ~~funded regional project under sub. (2) shall provide services in one of 6 regional areas of the state, and each~~ funded tribal project under

~~sub. (2)~~ par. (b) shall provide services in areas of the state as approved by the Indian tribe or band and the department. The department shall determine the boundaries of the regional areas prior to soliciting project grant applications.

**SECTION 1129p.** 46.997 (4) of the statutes is renumbered 46.995 (4m) (d) and amended to read:

46.995 **(4m)** (d) Prior to making grants to applying ~~organizations under sub. (2)~~ tribes or bands under par. (b), the department shall consider whether and how the applying ~~organization~~ tribe or band proposes to coordinate its services with other public or private resources, programs or activities in the region and the state.

**SECTION 1129r.** 46.997 (5) of the statutes is renumbered 46.995 (4m) (e) and amended to read:

46.995 **(4m)** (e) The department shall work closely with the women's council and the department of public instruction, on a continuing basis, concerning the scope and direction of activities under projects funded by the program under ~~sub. (2)~~ par. (b).

**SECTION 1130.** 48.02 (6) of the statutes is amended to read:

48.02 **(6)** "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 children ~~unless all of the children are siblings~~ or, if necessary to enable a sibling group to remain together, for no more than 6 children or, if the department promulgates rules permitting a different number of children, for the number of children permitted under those rules.

**SECTION 1131g.** 48.235 (8) (c) 1. of the statutes is amended to read:

48.235 **(8)** (c) 1. In an uncontested termination of parental rights and adoption proceeding under s. 48.833 (1), the court shall order the agency that placed the child for adoption to pay the compensation of the child's guardian ad litem.

**SECTION 1131k.** 48.38 (4) (d) of the statutes is amended to read:

48.38 **(4)** (d) If the child is living more than 60 miles from his or her home, documentation that placement within 60 miles of the child's home is either unavailable or inappropriate or documentation that placement more than 60 miles from the child's home is in the child's best interests. The placement of a child in a licensed foster home or a licensed treatment foster home more than 60 miles from the child's home is presumed to be in the best interests of the child if documentation is provided ~~which~~ that shows ~~all~~ any of the following:

1. That the placement is made pursuant to a voluntary agreement under s. 48.63 (1)~~.~~

~~2. That~~, that the voluntary agreement provides that the child may be placed more than 60 miles from the child's home~~.~~

~~3. That~~ and that the placement is made to facilitate the anticipated adoptive placement of the child under s. 48.833 (1) or 48.837.

**SECTION 1131L.** 48.38 (4) (d) 1m. of the statutes is created to read:

48.38 **(4)** (d) 1m. That the placement is of a child with special needs, as defined by rule promulgated under s. 48.975 (5) (b), that the placement is made to facilitate the anticipated adoptive placement of the child under s. 48.833 (1) and that the department, county department or child welfare agency making the placement has determined under s. 48.833 (3) that consideration of the location of the proposed adoptive parent's residence is not necessary to ensure the best interests of the child in light of the child's need for care or treatment to meet those special needs.

**SECTION 1131m.** 48.38 (4) (dm) of the statutes is created to read:

48.38 **(4)** (dm) In the case of a child with special needs, as defined by rule promulgated under s. 48.975 (5) (b), who is placed to facilitate the anticipated adoptive placement of the child under s. 48.833 (1), if the department, county department or child welfare agency making the placement has determined under s. 48.833 (3) that consideration of the location of the proposed adoptive parent's residence is necessary to ensure the best interests of the child in light of the child's need for care or treatment to meet those special needs, documentation showing the reasons why that consideration is necessary.

**SECTION 1131r.** 48.434 (2) of the statutes is amended to read:

48.434 **(2)** Any birth parent of a child may file with the agency that placed the child for adoption under s. 48.833 (1) or that was appointed the guardian of the child under s. 48.837 (6) (d) a written authorization for the agency to release any available information about the birth parent's identity and location to one or both adoptive parents of the child.

**SECTION 1131s.** 48.434 (3) of the statutes is amended to read:

48.434 **(3)** Any adoptive parent of a child may file with the agency that placed the child for adoption under s. 48.833 (1) or that was appointed the guardian of the child under s. 48.837 (6) (d) a written authorization for the agency to release any available information about the adoptive parent's identity and location to one or both birth parents of the child.

**SECTION 1135.** 48.55 (title) of the statutes is amended to read:

**48.55** (title) **State adoption information exchange and state adoption center.**

**SECTION 1136.** 48.55 of the statutes is renumbered 48.55 (1) and amended to read:

48.55 **(1)** The department shall establish a state adoption information exchange for the purpose of finding adoptive homes for children with special needs who do not have permanent homes~~. The department shall adopt rules governing the adoption information exchange and, from~~ and a state adoption center for the purposes of increasing public knowledge of adoption and promoting to adolescents and pregnant women the availability of adoption services. From the appropriation under s. 20.435 (3) (dg), the department may provide not more than ~~$75,000~~ $125,000 in each fiscal year as grants to individuals and private agencies ~~for~~ to provide adoption information exchange services and to operate the state adoption center.

**SECTION 1137.** 48.551 (title) and (1) of the statutes are repealed.

**SECTION 1138.** 48.551 (2) (intro.) of the statutes is renumbered 48.55 (2) (intro.) and amended to read:

48.55 **(2)** (intro.) The department shall promulgate rules governing the adoption information exchange and rules specifying the functions of the state adoption center~~, which~~. The rules specifying the functions of the state adoption center shall include all of the following:

**SECTION 1139.** 48.551 (2) (a), (b), (c), (d) and (e) of the statutes are renumbered 48.55 (2) (a), (b), (c), (d) and (e).

**SECTION 1140.** 48.561 (3) (b) of the statutes is amended to read:

48.561 **(3)** (b) The department of administration ~~and a county having a population of 500,000 or more shall consult to determine the method by which the state will~~ shall collect the amount specified in par. (a)~~. If the department of administration and~~ from a county having a population of 500,000 or more ~~reach an~~

~~agreement as to that method and if that agreement calls for~~ by deducting all or part of that amount from any state payment due that county under s. 46.40, 79.03, 79.04, 79.058, 79.06 or 79.08 ~~or for adding a special charge to the amount of taxes apportioned to and levied on that county under s. 70.60, the~~. The department of administration shall notify the department of revenue, by September 15 of each year, of the amount to be deducted from ~~those~~ the state payments due ~~or to be added as that special charge. If the department of administration and a county having a population of 500,000 or more do not reach an agreement as to that method by September 15 of each year, the department of administration shall determine that method without the agreement of that county~~ under s. 79.03, 79.04, 79.058, 79.06 or 79.08. The department of administration shall credit all amounts collected under this paragraph to the appropriation account under s. 20.435 (3) (kw) and shall notify the county from which those amounts are collected of that collection.

**SECTION 1141d.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

48.57 **(3m)** (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435 (3) ~~(cz) and~~ (kc), the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 500,000 or more. A county department and, in a county having a population of 500,000 or more, the department shall make payments in the amount of $215 per month to a kinship care relative who is providing care and maintenance for a child if all of the following conditions are met:

**SECTION 1143d.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

48.57 **(3n)** (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435 (3) ~~(cz) and~~ (kc), the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments

under this subsection in a county having a population of 500,000 or more. A county department and, in a county having a population of 500,000 or more, the department shall make monthly payments for each child in the amount specified in sub. (3m) (am) (intro.) to a long–term kinship care relative who is providing care and maintenance for that child if all of the following conditions are met:

**SECTION 1147.** 48.60 (2) (h) of the statutes is repealed.

**SECTION 1148.** 48.62 (1) (a) of the statutes is amended to read:

48.62 **(1)** (a) Any person who receives, with or without transfer of legal custody, 4 or fewer children or ~~more than 4 children if all of the children are siblings~~, if necessary to enable a sibling group to remain together, 6 or fewer children or, if the department promulgates rules permitting a different number of children, the number of children permitted under those rules, to provide care and maintenance for those children shall obtain a license to operate a foster home from the department, a county department or a licensed child welfare agency as provided in s. 48.75.

**SECTION 1148g.** 48.62 (4) of the statutes is amended to read:

48.62 **(4)** Monthly payments in foster care shall be provided according to the age–related rates specified in this subsection. Beginning on January 1, ~~1998~~ 2000, the age–related rates are: ~~$289~~ $299 for children aged 4 and under; ~~$315~~ $326 for children aged 5 to 11; ~~$358~~ $371 for children aged 12 to 14 and ~~$374~~ $387 for children aged 15 to 17. Beginning on January 1, ~~1999~~ 2001, the age–related rates are: ~~$296~~ $302 for children aged 4 and under; ~~$323~~ $329 for children aged 5 to 11; ~~$367~~ $375 for children aged 12 to 14; and ~~$383~~ $391 for children aged 15 to 17. In addition to these grants for basic maintenance, the department shall make supplemental payments for special needs, exceptional circumstances, care in a treatment foster

home and initial clothing allowances according to rules promulgated by the department.

**SECTION 1148m.** 48.63 (3) of the statutes is amended to read:

48.63 **(3)** Subsection (1) does not apply to the placement of a child for adoption. Adoptive placements may be made only as provided under ss. 48.833 (1), 48.835, 48.837 and 48.839.

**SECTION 1148p.** 48.64 (1m) of the statutes is amended to read:

48.64 **(1m)** FOSTER HOME, TREATMENT FOSTER HOME AND GROUP HOME AGREEMENTS. If an agency places a child in a foster home, treatment foster home or group home under a court order or voluntary agreement under s. 48.63, the agency shall enter into a written agreement with the head of the home. The agreement shall provide that the agency shall have access at all times to the child and the home, and that the child will be released to the agency whenever, in the opinion of the agency placing the child or the department, the best interests of the child require it. If a child has been in a foster home, treatment foster home or group home for 6 months or more, the agency shall give the head of the home written notice of intent to remove the child, stating the reasons for the removal. The child may not be removed before completion of the hearing under sub. (4) (a) or (c), if requested, or 30 days after the receipt of the notice, whichever is later, unless the safety of the child requires it or, in a case in which the reason for removal is to place the child for adoption under s. 48.833 (1), unless all of the persons who have the right to request a hearing under sub. (4) (a) or (c) sign written waivers of objection to the proposed removal. If the safety of the child requires earlier removal, s. 48.19 shall apply. If an agency removes a child from an adoptive placement, the head of the home shall have no claim against the placing agency for the expense of care, clothing or medical treatment.

**SECTION 1160d.** 48.685 (1) (bg) of the statutes is amended to read:

48.685 **(1)** (bg) "Foster home" includes a placement for adoption under s. 48.833 (1) of a child for whom adoption assistance will be provided under s. 48.975 after the adoption is finalized.

**SECTION 1160g.** 48.685 (1) (d) of the statutes is amended to read:

48.685 **(1)** (d) "Treatment foster home" includes a placement for adoption under s. 48.833 (1) of a child for whom adoption assistance will be provided under s. 48.975 after the adoption is finalized.

**SECTION 1171.** 48.685 (2) (bm) of the statutes is amended to read:

48.685 **(2)** (bm) If the person who is the subject of the search under par. (am) or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding the date of the search that person has not been a resident of this state, the department, county department, child welfare agency, school board or entity shall make a good faith effort to obtain from any state in which the person is a resident or was a resident within the 3 years preceding the date of the search information that is equivalent to the information specified in par. (am) 1. or (b) 1. a.

**SECTION 1181.** 48.685 (8) of the statutes is amended to read:

48.685 **(8)** The department, a county department, a child welfare agency or a school board may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a) or for providing information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b). The fee may not exceed the reasonable cost of obtaining the information. No fee may be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining information if to do so would be inconsistent with federal law.

**SECTION 1189p.** 48.75 (1g) (a) 4. of the statutes is amended to read:

48.75 **(1g)** (a) 4. The county of the public licensing agency issuing the license has a population of 500,000 or more and the placement is for adoption under s. 48.833 (1), 48.835 or 48.837.

**SECTION 1191.** 48.825 (3) (b) of the statutes is amended to read:

48.825 **(3)** (b) An individual or agency providing adoption information ~~exchange services~~ under s. 48.55.

**SECTION 1192.** 48.825 (3) (c) of the statutes is repealed.

**SECTION 1192g.** 48.833 of the statutes is renumbered 48.833 (1) and amended to read:

48.833 **(1)** ADOPTIVE PLACEMENT. The department, a county department under s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 may place a child for adoption in a licensed foster home or a licensed treatment foster home without a court order if the department, county department ~~under s. 48.57 (1) (e) or (hm)~~ or ~~the~~ child welfare agency is the guardian of the child or makes the placement at the request of another agency ~~which~~ that is the guardian of the child.

**(2)** CONSIDERATION OF PLACEMENT WITH RELATIVE. Before placing a child for adoption under ~~this subsection~~ sub. (1), the department, county department or child welfare agency making the placement shall consider the availability of a placement for adoption with a relative of the child who is identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known by the department, county department or child welfare agency.

**(4)** WRITTEN AGREEMENT. When a child is placed under ~~this section~~ sub. (1) in a licensed foster home or a licensed treatment foster home for adoption, the department, county department or child welfare agency making the placement shall enter into a written agreement with the adoptive parent, which shall state the date

on which the child is placed in the licensed foster home or licensed treatment foster home for adoption by the adoptive parent.

**SECTION 1192j.** 48.833 (3) of the statutes is created to read:

48.833 **(3)** CHILD WITH SPECIAL NEEDS. In placing a child with special needs, as defined by rule promulgated under s. 48.975 (5) (b), for adoption under sub. (1), the department, county department or child welfare agency making the placement may not consider the location of a proposed adoptive parent's residence as a factor in making that placement unless the department, county department or child welfare agency determines that consideration of that factor is necessary to ensure the best interests of the child in light of the child's need for care or treatment to meet those special needs. If the department, county department or child welfare agency considers the location of a prospective adoptive parent's residence as a factor in placing a child with special needs, the department, county department or child welfare agency shall document the reasons why that consideration is necessary in the child's permanency plan as provided in s. 48.38 (4) (dm). If the department, county department or child welfare agency does not consider the location of a prospective adoptive parent's residence as a factor in placing a child with special needs and the child is placed more than 60 miles from the child's home, the department, county department or child welfare agency shall document the reasons why that consideration is not necessary in the child's permanency plan as provided in s. 48.38 (4) (d) 1m.

**SECTION 1192m.** 48.913 (2) (c) 3. of the statutes is amended to read:

48.913 **(2)** (c) 3. With a petition under s. 48.90, if the parental rights of both parents of the child are terminated in another state and the child is placed for adoption under s. 48.833 (1).

**SECTION 1199d.** 48.982 (2) (d) of the statutes is amended to read:

48.982 **(2)** (d) Solicit and accept contributions, grants, gifts and bequests for the children's trust fund or for any other purpose for which a contribution, grant, gift or bequest is made and received. Moneys received under this paragraph, other than moneys received under s. 341.14 (6r) (b) 6., may be ~~deposited in~~ credited to the appropriation accounts under s. 20.433 (1) (i), (q) or (r). ~~This paragraph does not apply to moneys~~ Interest earned on moneys received under s. 341.14 (6r) (b) 6. may be credited to the appropriation accounts under s. 20.433 (1) (q) or (r).

**SECTION 1200d.** 48.982 (2m) (intro.) of the statutes is amended to read:

48.982 **(2m)** DONATION USES. (intro.) If money is accepted by the board for the children's trust fund or for any other purpose under sub. (2) (d)~~, except moneys received under s. 341.14 (6r) (b) 6.~~ and appropriated under s. 20.433 (1) (q) or (r), the board shall use the money in accordance with the wishes of the donor to do any of the following:

**SECTION 1201.** 48.985 (2) of the statutes is amended to read:

48.985 **(2)** COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the appropriation under s. 20.435 (7) (o), the department shall distribute not more than ~~$3,804,000 in fiscal year 1997–98 and not more than $3,734,000 in fiscal year 1998–99~~ $3,964,400 in each fiscal year of the moneys received under 42 USC 620 to 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or purchase of child welfare projects and services, for services to children and families, for services to the expectant mothers of unborn children and for family–based child welfare services.

**SECTION 1203.** 49.025 (2) (a) (intro.) of the statutes is amended to read:

49.025 **(2)** (a) (intro.) If a county is eligible to receive a relief block grant in a year, the department shall pay to the county, in accordance with s. 49.031, from the appropriation under s. 20.435 ~~(5)~~ (4) (bt), an amount for that year determined as follows:

**SECTION 1204.** 49.025 (2) (a) 1. b. of the statutes is amended to read:

49.025 **(2)** (a) 1. b. For any year, 45% of the total amount expended by the county in that year as relief for health care services provided to dependent persons, including the amount transferred to the appropriation account under s. 20.435 (4) (h) in that year and the amount estimated to be received from the federal government as a match to the funds expended from the appropriation account under s. 20.435 (4) (h).

**SECTION 1205.** 49.027 (2) (a) (intro.) of the statutes is amended to read:

49.027 **(2)** (a) (intro.) If a county is eligible to receive a relief block grant in a year, the department shall pay to the county, in accordance with s. 49.031, from the appropriation under s. 20.435 ~~(5) (bu)~~ (4) (bt), an amount for that year determined as follows:

**SECTION 1206.** 49.027 (2) (a) 1. d. of the statutes is amended to read:

49.027 **(2)** (a) 1. d. The department shall multiply the amount determined under subd. 1. c. by the amount appropriated under s. 20.435 ~~(5) (bu)~~ (4) (bt) for relief block grants for that year.

**SECTION 1207.** 49.029 (2) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

49.029 **(2)** AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the appropriation under s. 20.435 (4) ~~(bs)~~ (kb), the department shall distribute a relief block grant to each eligible tribal governing body in an amount and in a manner

determined in accordance with rules promulgated by the department. The department shall promulgate the rules after consulting with all tribal governing bodies eligible for a relief block grant. In promulgating rules under this section, the department shall consider each tribe's economic circumstances and need for health care services.

**SECTION 1209.** 49.124 (1g) (a) of the statutes is amended to read:

49.124 **(1g)** (a) The individual is a custodial parent of a child who is under the age of 18 and who has an absent parent, or the individual lives with and exercises parental control over a child who is under the age of 18 and who has an absent parent, and the individual does not fully cooperate in good faith with efforts directed at establishing the paternity of the child, if necessary, ~~and obtaining support payments~~ establishing or enforcing a support order, if ~~any~~ appropriate, or obtaining other payments or property, if any, to which that individual or the child may have rights. This paragraph does not apply if the individual has good cause for refusing to cooperate, as determined by the department in accordance with federal law and regulations.

**SECTION 1209q.** 49.124 (1m) (cm) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.124 **(1m)** (cm) The amount of food stamp benefits paid to a recipient who is a participant in a Wisconsin works employment position under s. 49.147 (4) ~~(b)~~ or (5) shall be calculated based on the pre–sanction benefit amount received s. 49.148.

**SECTION 1211d.** 49.136 (2) (b) of the statutes is amended to read:

49.136 **(2)** (b) The department shall attempt to award grants under this section to head start agencies designated under 42 USC 9836, employers that provide or wish to provide child care services for their employes, family day care centers, group

day care centers and day care programs for the children of student parents, organizations that provide child care for sick children and child care providers that employ participants or former participants in a Wisconsin works employment position under s. 49.147 (3) to (5).

**SECTION 1213.** 49.1375 of the statutes is created to read:

**49.1375 Early childhood excellence initiative. (1)** The department shall establish a grant program to develop at least 5 early childhood centers for children under the age of 5 who are eligible to receive temporary assistance to needy families under 42 USC 601 et seq. Centers awarded a grant under this subsection shall provide outreach and training for parents of the children served by the center and training for child care providers. The centers shall emphasize stimulation of the child's language skills and senses of vision and touch. A person who is awarded a grant under this subsection shall contribute matching funds from local or private sources equal to 25% of the amount awarded under this subsection.

**(2)** The department shall establish a grant program under which a child care provider that receives training at a center that is awarded a grant under sub. (1) may apply for a grant to establish an early childhood program that serves children specified under sub. (1). The program developed under a grant received under this subsection shall emphasize stimulation of the children's language skills and senses of vision and touch. A person who is awarded a grant under this subsection shall contribute matching funds from local or private sources equal to 25% of the amount awarded under this subsection.

**SECTION 1213g.** 49.138 (1m) (intro.) of the statutes is amended to read:

49.138 **(1m)** (intro.) The department shall implement a program of emergency assistance to needy persons in cases of fire, flood, natural disaster, homelessness or

impending homelessness or energy crisis. The department shall establish the maximum amount of aid to be granted, except for cases of energy crisis, per family member based on the funding available under s. 20.445 (3) (dc) and (md). The department need not establish the maximum amount by rule under ch. 227. The department shall publish the maximum amount and annual changes to it in the Wisconsin administrative register. Emergency assistance provided to needy persons under this section in cases of fire, flood, natural disaster or energy crisis may only be provided to a needy person once in a 12–month period. Emergency assistance provided to needy persons under this section in cases of homelessness or impending homelessness may be used only to obtain or retain a permanent living accommodation and, except as provided in sub. (2), may only be provided to a needy person once in a 36–month period. For the purposes of this section, a family is considered to be homeless, or to be facing impending homelessness, if any of the following applies:

**SECTION 1213h.** 49.138 (1m) (am) of the statutes is created to read:

49.138 **(1m)** (am) The family is experiencing a financial crisis that makes it very difficult for the family to make a rent payment, mortgage payment or property tax payment and the family has been notified that it will be required to leave its current housing if it does not make that payment immediately.

**SECTION 1214.** 49.141 (2) of the statutes is repealed.

**SECTION 1215.** 49.141 (2g) (a) of the statutes is renumbered 49.141 (2g).

**SECTION 1216.** 49.141 (2g) (b) of the statutes is repealed.

**SECTION 1216m.** 49.141 (4) of the statutes is amended to read:

49.141 **(4)** NONENTITLEMENT. ~~Notwithstanding~~ Except as provided in s. 49.145 (3m), notwithstanding fulfillment of the eligibility requirements for any component

of Wisconsin works, an individual is not entitled to services or benefits under Wisconsin works.

**SECTION 1217.** 49.143 (1) (a) of the statutes is amended to read:

49.143 **(1)** (a) Except as provided in par. (am), the department may award a contract, on the basis of a competitive process approved by the secretary of administration, to any person to administer Wisconsin works in a geographical area determined by the department under sub. (6). ~~The department shall award contracts under this paragraph before the date that is specified in s. 49.141 (2) (d)~~.

**SECTION 1218.** 49.143 (1) (am) 1. of the statutes is repealed and recreated to read:

49.143 **(1)** (am) 1. The department shall contract with a Wisconsin works agency to administer Wisconsin works if that agency has met the performance standards established by the department in accordance with sub. (3), during the immediately preceding contract period. The contract shall be for a term of at least 2 years. A Wisconsin works agency may elect not to enter into a contract under this subdivision if the Wisconsin works agency informs the department by the date established by the department that the Wisconsin works agency has made that election.

**SECTION 1219.** 49.143 (1) (am) 2. of the statutes is amended to read:

49.143 **(1)** (am) 2. A ~~county or tribal governing body~~ Wisconsin works agency that has not met the ~~aid to families with dependent children caseload~~ performance standards established by the department may apply for a contract under the competitive process established under par. (a).

**SECTION 1220.** 49.143 (1) (at) of the statutes is repealed.

**SECTION 1220m.** 49.143 (2) (a) 7. of the statutes is amended to read:

49.143 **(2)** (a) 7. Coordinate with the ~~governor's council on workforce excellence under s. 106.115~~ council on workforce investment established under 29 USC 2821 to ensure compatibility of purpose and no duplication of effort.

**SECTION 1221.** 49.143 (2) (cr) of the statutes is amended to read:

49.143 **(2)** (cr) Provide, or contract with another person to provide, budgeting and financial planning services, including credit establishment ~~and credit repair assistance~~ training to participants. ~~Prior to providing, or contracting with another to provide, the assistance specified under this paragraph, the Wisconsin works agency shall submit a proposed plan for the provision of that assistance to the department. The secretary shall submit each proposed plan to the cochairpersons of the joint committee on finance. If, within 14 days after receiving the proposed plans, the cochairpersons do not notify the secretary that the joint committee on finance has scheduled a meeting for the purpose of reviewing the proposed plans, the department shall direct each Wisconsin works agency that submitted proposed plans to implement the plans. If, within 14 days, the co–chairs notify the secretary that they have scheduled a meeting for the purpose of reviewing the proposed plans, no Wisconsin works agency may implement its plan until the joint committee on finance approves the plan. Every January 31, the department shall submit to the joint committee on finance a report specifying the total amount expended in the previous year for the provision of credit establishment and credit repair assistance under this paragraph.~~

**SECTION 1221h.** 49.143 (2) (ct) of the statutes is created to read:

49.143 **(2)** (ct) Return to the department an amount equal to the total amount of benefits withheld under s. 49.148 for missed work or education and training activities.

**SECTION 1222.** 49.143 (2) (e) of the statutes is amended to read:

49.143 **(2)** (e) To the extent permitted under federal law or waiver, certify eligibility for and issue food coupons to eligible Wisconsin works participants in conformity with 7 USC 2011 to 2029. <u>If the department receives the federal waiver necessary to enforce the contract provision under this paragraph, the department shall submit to the joint committee on finance the terms of the waiver and an implementation plan prior to enforcing the contract provision under this paragraph.</u>

**SECTION 1224c.** 49.143 (3) of the statutes is amended to read:

49.143 **(3)** PERFORMANCE STANDARDS. ~~The~~ <u>In consultation with the statewide advisory group and special work groups established under sub. (3m), the</u> department shall establish performance standards for the administration of Wisconsin works. If a Wisconsin works agency does not meet the standards established under this subsection, the department may withhold <u>or recover</u> any or all payment from the Wisconsin works agency.

**SECTION 1224d.** 49.143 (3g) of the statutes is created to read:

49.143 **(3g)** PERFORMANCE BONUSES. (a) The department shall base any performance bonus calculation that it makes for Wisconsin works agencies on all of the following performance criteria:

1. The placement of applicants for and participants in Wisconsin works employment positions into unsubsidized employment, as defined in s. 49.147 (1) (c).

2. Whether the placement under subd. 1. is full time or part time.

3. The job retention rate, as defined by the department, of former applicants for, and former participants in, Wisconsin works employment positions.

4. Wages and benefits earned by former applicants for, and former participants in, Wisconsin works employment positions.

5. Appropriate implementation of Wisconsin works.

6. Customer satisfaction.

(b) The department may not base any performance bonus payments on caseload decreases, or reduced spending by the Wisconsin works agency, that are not directly attributable to placement of participants in unsubsidized employment.

(c) The department shall develop a system by which the department may track former participants and former applicants for Wisconsin works to facilitate an assessment of how successfully each Wisconsin works agency has met the performance criteria specified in par. (a).

**SECTION 1224p.** 49.143 (3m) of the statutes is created to read:

49.143 **(3m)** STATEWIDE ADVISORY GROUP. The department shall establish a statewide advisory group to provide a forum for any person to raise concerns and to receive or provide information about programs and policies regarding Wisconsin works, including the Wisconsin works agency contract process. The department shall develop regional forums and special work groups to address issues of concern raised at the meetings of the statewide advisory group and shall allow any person to participate in the work groups.

**SECTION 1224r.** 49.145 (2) (d) of the statutes is repealed and recreated to read:

49.145 **(2)** (d) The individual has residence in this state.

**SECTION 1225.** 49.145 (2) (n) 1. a. of the statutes is amended to read:

49.145 **(2)** (n) 1. a. The job opportunities and basic skills program under s. 49.193<u>, 1997 stats</u>. Active participation <u>on or after October 1, 1996,</u> in the job opportunities and basic skills program ~~begins to count~~ <u>counts</u> toward the 60–month limit ~~beginning on October 1, 1996~~.

**SECTION 1226.** 49.145 (3) (a) of the statutes is amended to read:

49.145 **(3)** (a) *Resource limitations.* The individual is a member of a Wisconsin works group whose assets do not exceed $2,500 in combined equity value. In determining the combined equity value of assets, the Wisconsin works agency shall exclude the equity value of vehicles up to a total equity value of $10,000, the value of an individual development account established under s. 49.187 and one home that serves as the homestead for the Wisconsin works group.

**SECTION 1227.** 49.145 (3) (b) 2. of the statutes is repealed.

**SECTION 1227m.** 49.145 (3m) of the statutes is created to read:

49.145 **(3m)** PLACEMENT. (a) Within 30 days after an individual applies for a Wisconsin works employment position, the Wisconsin works agency shall place the individual in a Wisconsin works employment position if the individual meets all of the eligibility requirements under this section and if the individual is unable to find unsubsidized employment, as defined in s. 49.147 (1) (c), despite the individual's reasonable effort to search for unsubsidized employment.

(b) In the case of an individual who is incapable of performing a job search, the Wisconsin works agency shall place the individual in a Wisconsin works employment position immediately after making a determination that an individual otherwise meets the eligibility requirements under this section.

**SECTION 1228.** 49.145 (4) of the statutes is amended to read:

49.145 **(4)** REVIEW OF ELIGIBILITY. A Wisconsin works agency shall periodically review an individual's eligibility. The individual remains eligible under sub. (3) until the Wisconsin works group's assets ~~exceed the asset limits for at least 2 months or until the~~ or income ~~of the Wisconsin works group~~ is expected to exceed the asset or income ~~limits~~ limit under sub. (3) for at least 2 consecutive months.

**SECTION 1229.** 49.147 (1m) of the statutes is created to read:

49.147 **(1m)** EDUCATIONAL NEEDS ASSESSMENT. Upon determining that the appropriate placement for an individual is in unsubsidized employment or a trial job, the Wisconsin works agency shall conduct an educational needs assessment of the individual. If the Wisconsin works agency determines that the individual needs basic education, including a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation, and if the individual wishes to pursue basic education, the Wisconsin works agency shall include basic education in an employability plan developed for the individual. The Wisconsin works agency shall pay for the basic education services identified in the employability plan.

**SECTION 1229q.** 49.147 (4) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed and recreated to read:

49.147 **(4)** COMMUNITY SERVICE JOB. (a) *Administration*. A Wisconsin works agency shall administer a community service job program as part of its administration of Wisconsin works to improve the employability of an individual who is not otherwise able to obtain employment, as determined by the Wisconsin works agency, by providing work experience and training, if necessary, to assist the individual to move promptly into unsubsidized public or private employment or a trial job. In determining an appropriate placement for a participant, a Wisconsin works agency shall give placement under this subsection priority over placements under sub. (5). Community service jobs shall be limited to projects that the department determines would serve a useful public purpose or projects the cost of which is partially or wholly offset by revenue generated from such projects. After each 6 months of an individual's participation under this subsection and at the

conclusion of each assignment under this subsection, a Wisconsin works agency shall reassess the individual's employability.

(am) *Education or training activities.* A participant under this subsection may be required to participate in education and training activities assigned as part of an employability plan developed by the Wisconsin works agency. The department shall establish by rule permissible education and training under this paragraph, which shall include a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation, technical college courses and educational courses that provide an employment skill. Permissible education under this paragraph shall also include English as a 2nd language courses that the Wisconsin works agency determines would facilitate an individual's efforts to obtain employment and adult basic education courses that the Wisconsin works agency determines would facilitate an individual's efforts to obtain employment.

(as) *Required hours.* Except as provided in pars. (at) and (av), a Wisconsin works agency shall require a participant placed in a community service job program to work in a community service job for the number of hours determined by the Wisconsin works agency to be appropriate for the participant at the time of application or review, but not to exceed 30 hours per week. Except as provided in pars. (at) and (av), a Wisconsin works agency may require a participant placed in the community service job program to participate in education or training activities for not more than 10 hours per week.

(at) *Motivational training.* A Wisconsin works agency may require a participant, during the first 2 weeks of participation under this subsection, to participate in an assessment and motivational training program identified by the

community steering committee under s. 49.143 (2) (a) 10. The Wisconsin works agency may require not more than 40 hours of participation per week under this paragraph in lieu of the participation requirement under par. (as).

(av) *Education for 18–year–old and 19–year–old students*. A Wisconsin works agency shall permit a participant under this subsection who has not attained the age of 20 and who has not obtained a high school diploma or a declaration of equivalency of high school graduation to attend high school or, at the option of the participant, to enroll in a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation to satisfy, in whole or in part, the required hours of participation under par. (as).

(b) *Time–limited participation*. An individual may participate in a community service job for a maximum of 6 months, with an opportunity for a 3–month extension under circumstances approved by the department. An individual may participate in more than one community service job, but may not exceed a total of 24 months of participation under this subsection. The months need not be consecutive. The department or, with the approval of the department, the Wisconsin works agency may grant an extension to the 24–month limit on a case–by–case basis if the Wisconsin works agency determines that the individual has made all appropriate efforts to find unsubsidized employment and has been unable to find unsubsidized employment because local labor market conditions preclude a reasonable employment opportunity in unsubsidized employment for that participant, as determined by a Wisconsin works agency and approved by the department, and if the Wisconsin works agency determines, and the department agrees, that no trial job opportunities are available in the specified local labor market.

(c) *Worker's compensation*. A participant under this subsection is an employe of the Wisconsin works agency for purposes of worker's compensation coverage, except to the extent that the person for whom the participant is performing work provides worker's compensation coverage.

**SECTION 1235.** 49.1475 of the statutes is created to read:

**49.1475 Follow–up services.** Following any follow–up period required by the contract entered into under s. 49.143, a Wisconsin works agency may provide case management services for an individual who moves from a Wisconsin works employment position to unsubsidized employment to help the individual retain the unsubsidized employment. Case management services may include the provision of employment skills training; English as a 2nd language classes, if the Wisconsin works agency determines that the course will facilitate the individual's efforts to retain employment; a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation; or other remedial education courses. The Wisconsin works agency may provide case management services regardless of the individual's income and asset levels.

**SECTION 1236.** 49.148 (1) (b) 1. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.148 **(1)** (b) 1. ~~For~~ <u>Except as provided in subd. 1m., for</u> a participant in a community service job under s. 49.147 (4) ~~(b)~~, a monthly grant of $673, paid by the Wisconsin works agency or by the department under sub. (2). For every hour that the participant misses work or education or training activities without good cause, the grant amount shall be reduced by $5.15. Good cause shall be determined by the financial and employment planner in accordance with rules promulgated by the department. Good cause shall include required court appearances for a victim of

domestic abuse. If a participant in a community service job under s. 49.147 (4) ~~(b)~~ is required to work fewer than 30 hours per week because the participant has unsubsidized employment, as defined in s. 49.147 (1) (c), the grant amount under this paragraph ~~may be reduced by an amount equal to the product of $5.15 and the difference between 30 and the number of hours the participant is required to work~~ shall equal the amount specified under subd. 1m. minus $5.15 for each hour that the participant misses work or education or training activities without good cause.

**SECTION 1236c.** 49.148 (1) (b) 1m. of the statutes is created to read:

49.148 **(1)** (b) 1m. Except as provided in subd. 1., the Wisconsin works agency shall pay a participant in a community service job the following:

a. For a participant placed in a community service job for not more than 10 hours per week, one–third of the amount specified in subd. 1m. d.

b. For a participant placed in a community service job for more than 10 hours but not more than 15 hours per week, one–half of the amount specified under subd. 1m. d.

c. For a participant placed in a community service job for more than 15 hours but not more than 20 hours per week, two–thirds of the amount specified under subd. 1m. d.

d. For a participant placed in a community service job for more than 20 hours per week, $673.

**SECTION 1237b.** 49.148 (1) (b) 2. of the statutes is repealed.

**SECTION 1237m.** 49.148 (1m) (a) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.148 **(1m)** (a) A custodial parent of a child who is 12 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a

monthly grant of $673 unless another adult member of the custodial parent's Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under this subsection to participate in any employment positions. Receipt of a grant under this subsection does not constitute participation in a Wisconsin works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b) ~~2. or (c) 4.~~ or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position.

**SECTION 1237n.** 49.148 (1m) (b) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.148 **(1m)** (b) Receipt of a grant under this subsection constitutes participation in a Wisconsin works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) ~~2. or (c) 4.~~ or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

**SECTION 1237p.** 49.148 (2m) of the statutes is created to read:

49.148 **(2m)** PAY PERIOD. Benefits under this section shall be paid on the first day of each month. The payment shall be for any participation from the 26th day of

the month immediately preceding the month that immediately precedes the month in which the payment is made through the 25th day of the month that immediately precedes the month in which the payment is made. The payment may be prorated to account for participation that begins after the start of the payment period, but in any case shall be made not more than 36 days after the participation begins.

**SECTION 1241.** 49.155 (1) (aL) of the statutes is created to read:

49.155 **(1)** (aL) "Disabled" means physically or mentally incapable of caring for oneself.

**SECTION 1244.** 49.155 (1g) (intro.) of the statutes is amended to read:

49.155 **(1g)** DISTRIBUTION OF FUNDS. (intro.) Subject to sub. (1j) ~~and s. 16.54 (2)~~, the department shall, within the limits of the availability of the federal child care and development block grant funds received under 42 USC 9858, do all of the following:

**SECTION 1245d.** 49.155 (1g) (b) of the statutes is amended to read:

49.155 **(1g)** (b) From the appropriation under s. 20.445 (3) (mc), distribute ~~$4,315,000~~ $8,012,500 in fiscal year ~~1997–98~~ 1999–2000 and ~~$4,315,000~~ $7,412,500 in fiscal year ~~1998–99~~ 2000–01 for the purposes of providing technical assistance for child care providers and of administering the child care program under this section and for grants under s. 49.136 (2) for the start–up and expansion of child day care services, and for child day care start–up and expansion planning, for grants under s. 49.134 (2) for child day care resource and referral services, for grants under s. 49.137 (3) to assist child care providers in meeting the quality of care standards established under sub. (1d), and for a system of rates or a program of grants, as provided under sub. (1d), to reimburse child care providers that meet those quality of care standards and for grants under s. 49.137 (2) and contracts under s. 49.137 (4) to improve the quality of child day care services in this state.

**SECTION 1246.** 49.155 (1g) (c) of the statutes is amended to read:

49.155 **(1g)** (c) From the appropriation under s. 20.445 (3) (mc), transfer ~~$1,687,400~~ $3,596,900 in fiscal year ~~1997–98~~ 1999–2000 and ~~$1,687,400~~ $3,745,200 in fiscal year ~~1998–99~~ 2000–01 to the appropriation under s. 20.435 ~~(6)~~ (3) (kx), and transfer $20,700 in fiscal year 1999–2000 and $27,700 in fiscal year 2000–01 to the appropriation under s. 20.435 (8) (kx), for the purpose of day care center licensing under s. 48.65.

**SECTION 1247.** 49.155 (1g) (d) of the statutes is created to read:

49.155 **(1g)** (d) From the appropriation under s. 20.445 (3) (mc), transfer $182,200 in each fiscal year to the appropriation under s. 20.435 (3) (kx) for the administration of day care programs for foster parents in a county having a population of 500,000 or more.

**SECTION 1248.** 49.155 (1m) (intro.) of the statutes is amended to read:

49.155 **(1m)** ELIGIBILITY. (intro.) A Wisconsin works agency shall determine eligibility for a child care subsidy under this section. Under this section, an individual may receive a subsidy for child care for a child who has not attained the age of 13 or, if the child is disabled, who has not attained the age of 19, if the individual meets all of the following conditions:

**SECTION 1249.** 49.155 (1m) (a) (intro.) of the statutes is amended to read:

49.155 **(1m)** (a) (intro.) The individual is a parent of a child who is under the age of 13~~,~~ or, if the child is disabled, is under the age of 19; or is a person who, under s. 48.57 (3m) or (3n), is providing care and maintenance for a child who is under the age of 13~~,~~ or, if the child is disabled, is under the age of 19; and child care services for that child are needed in order for the individual to do any of the following:

**SECTION 1249q.** 49.155 (1m) (a) 3. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.155 **(1m)** (a) 3. Work in a Wisconsin works employment position, including participation in job search, orientation and training activities under s. 49.147 (2) (a) and in education or training activities under s. 49.147 (3) (am), (4) ~~(b) 1. a.~~ (am) or (5) (bm).

**SECTION 1250.** 49.155 (1m) (a) 4. (intro.) of the statutes is amended to read:

49.155 **(1m)** (a) 4. (intro.) ~~Participate in other employment skills training~~ If the Wisconsin works agency determines that basic education would facilitate the individual's efforts to obtain or maintain employment, participate in basic education, including an English as a 2nd language course~~, if the Wisconsin works agency determines that the course would facilitate the individual's efforts to obtain employment~~; literacy tutoring; or a course of study meeting the standards established by the state superintendent of public instruction under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation~~; a course of study at a technical college, if the Wisconsin works agency determines that the course would facilitate the individual's efforts to obtain or maintain employment; or participation in educational courses that provide an employment skill, as determined by the department~~. An individual may receive aid under this subdivision for up to ~~two~~ 2 years. An individual may not receive aid under this subdivision unless the individual meets at least one of the following conditions:

**SECTION 1251.** 49.155 (1m) (a) 4. a. of the statutes is amended to read:

49.155 **(1m)** (a) 4. a. The individual ~~has been~~ is employed in unsubsidized employment ~~for 9 consecutive months and continues to be so employed~~.

**SECTION 1252.** 49.155 (1m) (a) 5. of the statutes is created to read:

49.155 **(1m)** (a) 5. Participate in a course of study at a technical college, or participate in educational courses that provide an employment skill, as determined by the department, if the Wisconsin works agency determines that the course or courses would facilitate the individual's efforts to obtain or maintain employment. An individual may receive aid under this subdivision for up to 2 years. An individual may not receive aid under this subdivision unless the individual meets at least one of the following conditions:

a. The individual has been employed in unsubsidized employment for 3 consecutive months and continues to be so employed.

b. The individual is a participant in a Wisconsin works employment position.

**SECTION 1253.** 49.155 (1m) (b) 3. of the statutes is repealed.

**SECTION 1254.** 49.155 (1m) (c) 1. of the statutes is renumbered 49.155 (1m) (c) 1. (intro.) and amended to read:

49.155 **(1m)** (c) 1. (intro.) The gross income of the individual's family is at or below ~~165%~~ 185% of the poverty line for a family the size of the individual's family or, for an individual who is already receiving a child care subsidy under this section, the gross income of the individual's family is at or below 200% of the poverty line for a family the size of the individual's family. In calculating the gross income of the family, the Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3., except that, in calculating farm and self–employment income, the Wisconsin works agency shall include the sum of the following:

**SECTION 1255.** 49.155 (1m) (c) 1. a. of the statutes is created to read:

49.155 **(1m)** (c) 1. a. Net earnings reported to the Internal Revenue Service.

**SECTION 1256.** 49.155 (1m) (c) 1. b. of the statutes is created to read:

49.155 **(1m)** (c) 1. b. Depreciation expenses, personal business and entertainment expenses, personal transportation costs, purchases of capitol equipment and payments on the principal of loans.

**SECTION 1257.** 49.155 (1m) (c) 1g. of the statutes is amended to read:

49.155 **(1m)** (c) 1g. The individual is a foster parent of the child and the child's biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty line. In calculating the gross income of the child's biological or adoptive family, the Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

**SECTION 1258.** 49.155 (1m) (c) 1h. of the statutes is amended to read:

49.155 **(1m)** (c) 1h. The individual is a relative of the child, is providing care for the child under a court order and is receiving payments under s. 48.57 (3m) on behalf of the child and the child's biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty line. In calculating the gross income of the child's biological or adoptive family, the Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

**SECTION 1259.** 49.155 (1m) (c) 3. of the statutes is amended to read:

49.155 **(1m)** (c) 3. The individual was eligible for a child care subsidy under s. 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy on or after May 10, 1996, but lost the subsidy solely because of increased income, and the gross income of the individual's family is at or below 200% of the poverty line for a family the size of the individual's family. This subdivision does not apply to an individual whose family's gross income increased to more than 200% of the poverty line for a family the size of the individual's family.

**SECTION 1265.** 49.155 (3m) (b) of the statutes is renumbered 49.155 (3m) (b) (intro.) and amended to read:

49.155 **(3m)** (b) ~~Not more than 5%, or $20,000, whichever is greater, of~~ Of the funds distributed under par. (a) not more than the greatest of the following may be used for the costs of administering the program under this section~~.~~:

**SECTION 1266.** 49.155 (3m) (b) 1. of the statutes is created to read:

49.155 **(3m)** (b) 1. Five percent of the funds distributed under par. (a) in the current year.

**SECTION 1267.** 49.155 (3m) (b) 2. of the statutes is created to read:

49.155 **(3m)** (b) 2. Five percent of the funds distributed under par. (a) in the immediately preceding year.

**SECTION 1268.** 49.155 (3m) (b) 3. of the statutes is created to read:

49.155 **(3m)** (b) 3. Twenty thousand dollars.

**SECTION 1270p.** 49.155 (5) of the statutes is amended to read:

49.155 **(5)** LIABILITY FOR PAYMENT. An individual is liable for the percentage of the cost of the child care ~~that the department~~ specified by the department in a printed copayment schedule. An individual who is under the age of 20 and is attending high school or participating in a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency to high school graduation may not be determined liable for more than the minimum copayment amount for the type of child care received and the number of children receiving child care.

**SECTION 1275.** 49.161 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.161 **(1)** TRIAL JOBS ~~AND WAGE–PAYING COMMUNITY SERVICE JOBS~~ OVERPAYMENTS. Notwithstanding s. 49.96, the department shall recover an overpayment of benefits

paid under s. 49.148 (1) (a) ~~and (b) 2.~~ or 49.19 from an individual who receives ~~or has received~~ benefits paid under s. 49.148 (1) (a) ~~or (b) 2~~. The value of the benefit liable for recovery under this subsection may not exceed the amount that the department paid in wage subsidies with respect to that participant while the participant was ineligible to participate. The department shall promulgate rules establishing policies and procedures for administrating this subsection.

**SECTION 1276.** 49.161 (2) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.161 **(2)** ~~GRANT–PAYING COMMUNITY~~ COMMUNITY SERVICE JOBS AND TRANSITIONAL PLACEMENTS OVERPAYMENTS. Except as provided in sub. (3), the department shall recover an overpayment of benefits paid under s. 49.148 (1) (b) ~~1. and~~ or (c) or 49.19 from an individual who continues to receive benefits under s. 49.148 (1) (b) ~~1.~~ and (c) by reducing the amount of the individual's benefit payment by no more than 10%.

**SECTION 1276f.** 49.1635 of the statutes is created to read:

**49.1635 Wisconsin Trust Account Foundation. (1)** To the extent permitted under federal law and subject to sub. (2), from the appropriation under s. 20.445 (3) (md) the department shall distribute to the Wisconsin Trust Account Foundation an amount equal to the amount received by the foundation from private donations, but not to exceed $100,000 in each fiscal year. Except as provided in sub. (4), funds distributed under this subsection may be used only for the provision of legal services to individuals who are eligible for temporary assistance for needy families under 42 USC 601 et seq. and whose incomes are at or below 200% of the poverty line.

**(2)** The department may not distribute funds under sub. (1) until the Wisconsin Trust Account Foundation reports to the department the amount received by the Wisconsin Trust Account Foundation in private donations.

**(3)** If the Wisconsin Trust Account Foundation receives funds under sub. (1), it shall do all of the following:

(a) Develop a separate account for the funds distributed under sub. (1).

(b) Require each organization to which the Wisconsin Trust Account Foundation distributes funds received under sub. (1) to match 100% of the amount distributed to that organization that is attributable to the funds received by the Wisconsin Trust Account Foundation under sub. (1).

(c) Annually, prepare a report for distribution to the joint committee on finance that specifies the organizations that received funding under this section.

**(4)** Not more than 10% of the total funds received by the Wisconsin Trust Account Foundation may be used for administration.

**SECTION 1277.** 49.167 of the statutes is created to read:

**49.167 Alcohol and other drug abuse treatment grant program. (1)** The department shall award grants to counties, tribal governing bodies and private entities to provide community–based alcohol and other drug abuse treatment programs that are targeted at individuals who have a family income of not more than 200% of the poverty line and who are eligible for temporary assistance for needy families under 42 USC 601 et seq. and that do all of the following:

(a) Meet the special needs of low–income persons with problems resulting from alcohol or other drug abuse.

(b) Emphasize parent education, vocational and housing assistance and coordination with other community programs and with treatment under intensive care.

**(2)** The department shall do all of the following with respect to the grants under par. (a):

(a) Award the grants in accordance with the department's request–for–proposal procedures.

(b) Ensure that the grants are distributed in both urban and rural communities.

(c) Evaluate the programs under the grants by use of client–outcome measurements that the department develops.

**(3)** The department shall coordinate the grant program under this section with any similar grant program administered by the department of health and family services.

**SECTION 1277g.** 49.169 of the statutes is created to read:

**49.169 Family literacy grants. (1)** In this section, "family literacy training" means literacy training that focuses on interactive literacy activities between parents and their children and that aims at improving the literacy skills of both parents and their children.

**(2)** The department shall award not more than $1,404,100 in grants to qualified applicants for the provision of family literacy training to individuals who are eligible for temporary assistance for needy families under 42 USC 601 et. seq.

**(3)** To qualify for a grant under sub. (2), the applicant must be an organization that has a demonstrated history of providing literacy training to adults and children and must fulfill any other criteria developed under sub. (4).

**(4)** The department, in consultation with the technical college system board, the department of public instruction and the governor's office, shall develop written criteria to be used to evaluate the grant proposals and to allocate the grants under this section among the successful grant applicants.

**(5)** The department shall require grant recipients to coordinate with the appropriate Wisconsin works agencies to ensure that those participants in Wisconsin works who are served by those Wisconsin works agencies and who need family literacy training receive adequate family literacy training.

**SECTION 1277v.** 49.173 of the statutes is created to read:

**49.173 Workforce attachment. (1)** The department shall distribute funds to Wisconsin works agencies and to local workforce development boards established under 29 USC 2832 to provide all of the following:

(a) Job readiness training and job placement services to unemployed persons.

(b) Basic job skills development to unemployed or recently employed persons.

(c) Services to assist recently employed persons with job retention.

(d) Incumbent worker training to promote job advancement and increased earnings.

(e) Services to employers to assist them in retaining workers and providing workers with position advancement.

**(2)** (a) The department shall allocate a portion of the amount to be distributed under sub. (1) and shall distribute that portion in equal amounts among all of the Wisconsin works agencies.

(b) The department shall distribute the amount that remains after the distribution under par. (a) to each Wisconsin works agency and local workforce development board based on the criteria specified in sub. (3).

**(3)** (a) The department shall allocate and distribute funds under sub. (2) (b) to Wisconsin works agencies based on the number of persons in all of the following case categories served by that Wisconsin works agency:

1. Case management.

2. Food stamp employment and training.

3. Diversion, as defined by the department.

4. Noncustodial parents.

5. Child care.

(b) The department shall allocate and distribute to each local workforce development board funds under sub. (2) (b) based on a formula that takes into account all of the following:

1. The percentage of the population of the area served by the local board with an income at or below 200% of the poverty line.

2. Labor force participation.

3. The unemployment rate of the area served by the local board.

**(4)** The department shall require recipients of the funds distributed under this section to meet performance standards that are based on employment placement for unemployed persons, job retention rates of the persons served by the fund recipients, increased earnings of the persons served by the fund recipients, and increased child support collections for noncustodial parents served by the fund recipients.

**SECTION 1278g.** 49.175 of the statutes, as affected by 1997 Wisconsin Act 27, is repealed and recreated to read:

**49.175 Public assistance and local assistance allocations. (1)** ALLOCATION OF FUNDS. Within the limits of the appropriations under s. 20.445 (3) (a),

(br), (cm), (dc), (dz), (e), (em), (jL), (k), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the department shall allocate the following amounts for the following purposes:

(a) *Wisconsin works benefits.* For Wisconsin works benefits provided under contracts having a term that begins on January 1, 2000, and ends on December 31, 2001, $24,649,800 in fiscal year 1999–2000 and $49,309,600 in fiscal year 2000–01.

(b) *Wisconsin works administration and ancillary services.* For administration of Wisconsin works and program services under Wisconsin works performed under contracts under s. 49.143 having a term that begins on January 1, 2000, and ends on December 31, 2001, $64,216,800 in fiscal year 1999–2000 and $128,433,800 in fiscal year 2000–01.

(c) *Performance bonuses.* For performance bonuses to Wisconsin works agencies that have entered into contracts under s. 49.143 having a term that begins on January 1, 2000, and that ends on December 31, 2001, $2,779,800 in fiscal year 1999–2000 and $5,559,800 in fiscal year 2000–01.

(d) *County community reinvestment.* For reinvestment of funds into communities under s. 49.143 (3p), $3,706,300 in fiscal year 1999–2000 and $7,413,100 in fiscal year 2000–01.

(e) *Initial contracts.* For contracts under s. 49.143 having a term that ends on December 31, 1999, $27,844,700 in fiscal year 1999–2000.

(f) *Wisconsin works agency contingency fund.* For contingency payments to Wisconsin works agencies for program costs, $95,000,000 in the 1999–2001 fiscal biennium, to be distributed under criteria established by the department, except that the department may not distribute moneys allocated under this paragraph unless the joint committee on finance approves the distribution.

(g) *State administration of public assistance programs.* For state administration of public assistance programs, $31,831,000 in fiscal year 1999–2000 and $31,783,200 in fiscal year 2000–01.

(h) *Food stamps for legal immigrants.* For food stamp benefits to qualified aliens under s. 49.124 (8), $420,000 in each fiscal year.

(i) *Emergency assistance.* For emergency assistance under s. 49.138, $3,300,000 in each fiscal year.

(j) *Funeral expenses.* For funeral expenses under s. 49.30, $3,300,000 in each fiscal year.

(L) *Individual development accounts.* For the individual development accounts program under s. 49.187, $650,000 in each fiscal year.

(m) *Children first.* For services under the work experience program for noncustodial parents under s. 49.36, $1,140,000 in each fiscal year.

(n) *Job access loans.* For job access loans under s. 49.147 (6), $600,000 in each fiscal year.

(o) *Employment skills advancement grants.* For employment skills advancement grants under s. 49.185, $100,000 in each fiscal year.

(p) *Direct child care services.* For direct child care services under s. 49.155, $159,330,000 in fiscal year 1999–2000 and $180,700,000 in fiscal year 2000–01.

(q) *Indirect child care services.* For indirect child care services under s. 49.155 (1g), $11,812,300 in fiscal year 1999–2000 and $11,367,600 in fiscal year 2000–01.

(r) *Early childhood excellence initiative.* For grants under s. 49.1375, $7,500,000 in each fiscal year.

(s) *Start–up funding.* For start–up funding for contracts under s. 49.143 having a term that begins on January 1, 2000, and that ends on December 31, 2001,

$3,519,000 in fiscal year 1999–2000. The department may not distribute moneys allocated under this paragraph unless the joint committee on finance approves the distribution.

(t) *Wisconsin works contracts in certain counties.* For contracts with persons for oversight of the administrative structure of Wisconsin works, and of Wisconsin works agencies, in counties having a population of 500,000 or more, $1,500,000 in fiscal year 1999–2000 and $1,000,000 in fiscal year 2000–01.

(u) *Workforce attachment.* For services specified under s. 49.173, $9,700,000 in fiscal year 1999–2000 and $10,000,000 in fiscal year 2000–01. The department may not distribute moneys allocated under this paragraph unless the joint committee on finance approves the distribution.

(v) *Transportation assistance.* For transportation assistance under s. 49.157, $200,000 in fiscal year 1999–2000 and $2,000,000 in fiscal year 2000–01.

(w) *Hospital paternity incentives.* For hospital paternity incentive payments under s. 69.14 (1) (cm), $91,900 in each fiscal year.

(x) *Passports for youth program.* For the passports for youth program operated by the YMCA of Metropolitan Milwaukee, $300,000 in fiscal year 1999–2000. The department may not distribute funds under this paragraph if the passports for youth program does not comply with P.L. 104–193, section 103.

(y) *Literacy initiative.* For literacy grants under s. 49.169 and literacy services administered by the governor's office, $1,454,100 in each fiscal year.

(z) *Community youth grant.* For a competitive grant program administered by the department to fund programs that improve social, academic and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., $7,500,000 in each fiscal year.

(zb) *Work–based learning programs for youth.* For work–based learning programs for youth funded from the appropriation under s. 20.445 (7) (kc), $2,969,700 in fiscal year 1999–2000 and $6,084,500 in fiscal year 2000–01.

(zc) *Fatherhood initiative.* For a grant program to promote fathers' involvement in their children's lives, $75,000 in fiscal year 1999–2000.

(zd) *Alcohol and other drug abuse.* For grants made under s. 49.167 to organizations that provide community–based alcohol and other drug abuse treatment to individuals who are eligible for temporary assistance for needy families under 42 USC 601 et. seq., $1,000,000 in each fiscal year.

(ze) *Programs administered by the department of health and family services.* 1. 'Kinship care and long–term kinship care assistance.' For the kinship care and long–term kinship care programs under s. 48.57 (3m), (3n) and (3p), $24,489,400 in fiscal year 1999–2000 and $26,109,800 in fiscal year 2000–01.

2. 'Children of recipients of supplemental security income.' For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, $13,745,200 in fiscal year 1999–2000 and $17,930,000 in fiscal year 2000–01.

3. 'Community aids.' For community aids, $31,800,000 in fiscal year 1999–2000 and $18,086,200 in fiscal year 2000–01.

4. 'Runaway services.' For grants to programs that provide services for runaway children, $150,000 in each fiscal year.

5. 'Early identification of pregnancy.' For outreach and services under s. 253.085 to low–income pregnant women, $100,000 in each fiscal year.

6. 'Supplemental food program for women, infants and children.' From the appropriation under s. 20.445 (3) (md), for per capita nutritional services and

administration funding to local agencies that administer the federal special supplemental food program for women, infants and children under 42 USC 1786 and the state supplemental food program for women, infants and children under s. 253.06, $1,000,000 in each fiscal year.

7. 'Adolescent services and pregnancy prevention programs.' For adolescent services and pregnancy prevention programs under ss. 46.93 and 46.995, $1,808,300 in each fiscal year.

8. 'Domestic abuse services grants.' For the domestic abuse services grants under s. 46.95 (2), $975,000 in fiscal year 1999–2000 and $1,000,000 in each fiscal year thereafter.

9. 'Statewide immunization program.' For the statewide immunization program under s. 252.04 (1), $1,000,000 in each fiscal year.

(zf) *Badger Challenge.* For the Badger Challenge program under s. 21.25, $33,300 in fiscal year 1999–2000 and $83,200 in fiscal year 2000–01.

(zg) *Aid to Milwaukee public schools.* For aid to the school district operating under ch. 119 under ss. 119.72 and 119.82, $1,410,000 in each fiscal year.

(zh) *Earned income tax credit.* 1. 'Taxable year 1998.' For the transfer of moneys under 1999 Wisconsin Act .... (this act), section 9357 (2g), from the appropriation account under s. 20.445 (3) (md) to the general fund to reimburse the general fund for earned income tax credits paid for the taxable year that began on January 1, 1998, $58,000,000 in fiscal year 1999–2000.

2. 'Taxable years 1999 and thereafter.' For the transfer of moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, $58,000,000 in fiscal year 1999–2000 and $61,000,000 in fiscal year 2000–01.

(zi) *Campaign for a Sustainable Milwaukee.* For the Campaign for a Sustainable Milwaukee, $300,000 in fiscal year 1999–2000.

(zj) *Head start.* For the transfer of moneys to the department of public instruction for head start agencies, $3,712,500 in each fiscal year.

(zk) *Wisconsin trust account fund.* For the distribution to the Wisconsin trust account fund under s. 49.1635, $100,000 in each fiscal year.

(zL) *English for Southeast Asian children.* To the school board of the Wausau school district for English training for 3–year–old, 4–year–old and 5–year–old Southeast Asian children, $100,000 in each fiscal year.

(zm) *Jobs initiative.* For Milwaukee Jobs Initiative, Inc., $100,000 in each fiscal year.

(zn) *Child abuse and neglect prevention board.* For the transfer of moneys to the child abuse and neglect prevention board, $340,000 in each fiscal year.

**(2)** REDISTRIBUTION OF FUNDS. The department may redistribute funds allocated for a purpose specified under any paragraph under sub. (1) to be used for any other purpose specified in any other paragraph under sub. (1) if all of the following conditions are met:

(a) The secretary of administration approves the redistribution.

(b) The department submits a request for approval of the redistribution to the joint committee on finance and the cochairpersons of the committee do not, within 14 days of receiving the request, notify the department that the committee has scheduled a meeting for the purpose of reviewing the request. If, within 14 days after receiving the request, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the request,

the department may not redistribute funds under sub. (1) except to the extent approved by the committee.

**SECTION 1330r.** 49.179 of the statutes is created to read:

**49.179 County community reinvestment. (1)** In this section, "Wisconsin works" has the meaning given in s. 49.141 (1) (p).

**(2)** Annually, beginning January 1, 2000, the department shall distribute the moneys allocated under s. 49.175 (1) (d) to counties as follows:

(a) To a county in which more than one Wisconsin works agency is located, the department shall distribute an amount equal to 4% of the sum of the amounts for which the department contracted with those Wisconsin works agencies for administration and benefits under Wisconsin works for the year in which the moneys are to be distributed.

(b) To a county in which one Wisconsin works agency is located, the department shall distribute an amount equal to 4% of the amount for which the department contracted with that Wisconsin works agency for administration and benefits under Wisconsin works for the year in which the moneys are to be distributed.

(c) To a county that is one of several counties served by a single Wisconsin works agency, the department shall distribute an amount equal to that county's proportional share, as determined by the department, of an amount equal to 4% of the amount for which the department contracted with that Wisconsin works agency for administration and benefits under Wisconsin works for the year in which the moneys are to be distributed.

**(3)** Funds distributed under sub. (2) may be used only for community reinvestment projects. The department shall establish by rule criteria for the use of the funds distributed under sub. (2).

**(4)** In conformity with the criteria established by the department under sub. (3), the county board of supervisors shall determine the use of the funds distributed under sub. (2).

**(5)** No expenditures from the funds distributed under sub. (2) may be made unless the department first certifies that the expenditures are allowable under the federal temporary assistance for needy families block grant program under 42 USC 601 et. seq.

**SECTION 1331.** 49.185 (3) (d) of the statutes is amended to read:

49.185 **(3)** (d) The individual has been employed in an unsubsidized job for at least ~~9~~ 6 consecutive months before applying for a grant.

**SECTION 1332.** 49.185 (3) (i) of the statutes is amended to read:

49.185 **(3)** (i) The individual contributes, or obtains from other sources, an amount at least equal to the amount of the grant, ~~and obtains funding from other sources in an amount at least equal to the amount of the grant,~~ for tuition, books, transportation or other direct costs of the training or education.

**SECTION 1333.** 49.185 (5) of the statutes is amended to read:

49.185 **(5)** APPLICABILITY. This section applies beginning on ~~the date stated in the notice under s. 49.141 (2) (d), or on~~ November 1, 1997~~, whichever is later~~.

**SECTION 1334.** 49.187 of the statutes is created to read:

**49.187 Individual development accounts. (1)** ADMINISTRATION. The department may establish a program to permit individuals who are eligible under sub. (2) to establish individual development accounts. If the department establishes the program under this section, the program shall be administered in accordance with P.L. 105–285. The department may contract with community action agencies under s. 46.30 to administer the program under this section.

**(2)** ELIGIBILITY. An individual is eligible to establish an individual development account if the all of the following criteria with respect to the individual are met:

(a) The individual is at least 18 years old.

(b) The individual is a custodial parent, as defined in s. 49.141 (1) (b).

(c) The individual meets the eligibility requirements under P.L. 105–285, section 408 (a). In determining the net worth of an individual's household, as required under P.L. 105–285, section 408 (a) (2), the community action agency or the department shall exclude the equity value of vehicles up to a total equity value of $10,000 and one home that serves as the homestead of the individual's household.

**(3)** FUNDING FOR AND USE OF AN INDIVIDUAL DEVELOPMENT ACCOUNT. (a) An individual who establishes an individual development account under this section may deposit into the account only earned income, as defined in section 911 (d) (2) of the Internal Revenue Code of 1986. For every $1 that the individual deposits in the account, the community action agency with which the department contracts under sub. (1), or, if the department does not enter into a contract under sub. (1), the department, shall deposit not less than 50 cents nor more than $4 into the account. Moneys deposited in an individual development account may be withdrawn only for emergencies as provided under P.L. 105–285, section 404 (3) or for qualified expenses specified under P.L. 105–285, section 404 (8).

(b) An individual who establishes an individual development account under this section shall participate in financial planning and economic education programs offered by the community action agency or by the department.

**SECTION 1335.** 49.19 (11s) (a) of the statutes is amended to read:

49.19 **(11s)** (a) The department shall conduct a demonstration project under this subsection pursuant to a waiver from the secretary of the federal department of

health and human services beginning on January 1, 1996. To the extent permitted in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under this section or to a test group of recipients of aid under this section determined by the department. Paragraphs (b) to (d) do not apply to persons who are subject to s. 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in effect and only with respect to recipients covered by the waiver.

**SECTION 1336.** 49.19 (20) (a) of the statutes is amended to read:

49.19 **(20)** (a) Beginning on January 1, 1999, or beginning on the first day of the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d), 1997 stats., whichever is sooner, no person is eligible to receive benefits under this section and no aid may be granted under this section. No additional notice, other than the enactment of this paragraph, is required to be given under sub. (13) to recipients of aid under this section to terminate their benefits under this paragraph.

**SECTION 1337.** 49.191 of the statutes is repealed.

**SECTION 1338.** 49.193 of the statutes is repealed.

**SECTION 1339.** 49.195 (1) of the statutes is amended to read:

49.195 **(1)** If any parent at the time of receiving aid under s. 49.19 or a benefit under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift, inheritance, sale of assets, court judgment or settlement of any damage claim, or by winning a lottery or prize, the county granting such aid, or the Wisconsin works agency granting such a benefit, may sue the parent on behalf of the department to recover the value of that portion of the aid or of the benefit which does not exceed the amount of the property so acquired. The value of the aid or benefit liable for recovery under this section may not include the value of work performed by a member of the family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,

s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work experience component under s. 49.193 (6)<u>, 1997 stats</u>. During the life of the parent, the 10–year statute of limitations may be pleaded in defense against any suit for recovery under this section; and if such property is his or her homestead it shall be exempt from execution on the judgment of recovery until his or her death or sale of the property, whichever occurs first. Notwithstanding the foregoing restrictions and limitations, where the aid or benefit recipient is deceased a claim may be filed against any property in his or her estate and the statute of limitations specified in s. 859.02 shall be exclusively applicable. The court may refuse to render judgment or allow the claim in any case where a parent, spouse or child is dependent on the property for support, and the court in rendering judgment shall take into account the current family budget requirement as fixed by the U.S. department of labor for the community or as fixed by the authorities of the community in charge of public assistance. The records of aid or benefits paid kept by the county, by the department or by the Wisconsin works agency are prima facie evidence of the value of the aid or benefits furnished. Liability under this section shall extend to any parent or stepparent whose family receives aid under s. 49.19 or benefits under s. 49.148, 49.155 or 49.157 during the period that he or she is a member of the same household, but his or her liability is limited to such period. This section does not apply to medical and health assistance payments for which recovery is prohibited or restricted by federal law or regulation.

**SECTION 1340.** 49.195 (3) of the statutes is amended to read:

49.195 **(3)** <u>A county, tribal governing body, Wisconsin works agency or the department shall determine whether an overpayment has been made under s. 49.19, 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal</u>

governing body, Wisconsin works agency or department shall provide notice of the overpayment to the liable person and shall give that person an opportunity for a review following the procedure specified under s. 49.152, or for a hearing under ch. 227. Notwithstanding s. 49.96, the department shall promptly recover all overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing policies and procedures to administer this subsection.

**SECTION 1341.** 49.195 (3m) of the statutes is created to read:

49.195 **(3m)** (a) 1. If any person fails to pay to the department any amount determined under sub. (3), no review or appeal of that determination is pending and the time for requesting a review or taking an appeal has expired, the department may issue a warrant directed to the clerk of circuit court of any county.

2. The clerk of circuit court shall enter in the judgment and lien docket the name of the person mentioned in the warrant, the amount for which the warrant is issued and the date on which the clerk entered that information.

3. A warrant entered under subd. 2. shall be considered in all respects as a final judgment constituting a perfected lien upon the person's right, title and interest in all real and personal property located in the county in which the warrant is entered.

4. After issuing a warrant, the department may file an execution with the clerk of circuit court for filing with the sheriff of the county, commanding the sheriff to levy upon and sell sufficient real and personal property of the person to pay the amount stated in the warrant in the same manner as upon an execution against property issued upon the judgment of a court of record, and to return the warrant to the department and pay to it the money collected by virtue of the warrant within 60 days

after receipt of the warrant. The execution may not command the sheriff to levy upon or sell any property that is exempt from execution under ss. 815.18 (3) and 815.20.

(b) The clerk of circuit court shall accept, file and enter the warrant in the judgment and lien docket without prepayment of any fee, but the clerk of circuit court shall submit a statement of the proper fee semiannually to the department covering the periods from January 1 to June 30 and July 1 to December 31 unless a different billing period is agreed to between the clerk of circuit court and the department. The department shall pay the fees, but shall add the fees provided by s. 814.61 (5) for entering the warrants to the amount of the warrant and shall collect the fees from the person named in the warrant when satisfaction or release is presented for entry.

(c) If a warrant that is not satisfied in full is returned, the department may enforce the amount due as if the department had recovered judgment against the person named in the warrant for the same amount.

(d) When the amount set forth in a warrant and all costs due the department have been paid to it, the department shall issue a satisfaction of the warrant and file it with the clerk of circuit court. The clerk of circuit court shall immediately enter a satisfaction of the judgment on the judgment and lien docket. The department shall send a copy of the satisfaction to the person named in the warrant.

(e) If the department finds that the interests of the state will not be jeopardized, the department may issue a release of any warrant with respect to any real or personal property upon which the warrant is a lien or cloud upon title. Upon presentation to the clerk and payment of the fee for filing the release, the clerk shall enter the release of record. The release is conclusive that the lien or cloud upon the title of the property covered by the release is extinguished.

(f) Notwithstanding s. 49.96, at any time after the filing of a warrant, the department may commence and maintain a garnishee action as provided by ch. 812 or may use the remedy of attachment as provided by ch. 811 for actions to enforce a judgment. The place of trial of such an action may be either in Dane County or the county where the debtor resides and may not be changed from the county in which that action is commenced, except upon consent of the parties.

(g) If the department issues an erroneous warrant, the department shall issue a notice of withdrawal of the warrant to the clerk of circuit court for the county in which the warrant is filed. The clerk shall void the warrant and any resulting liens.

**SECTION 1342.** 49.195 (3n) of the statutes is created to read:

49.195 **(3n)** (a) In this subsection:

1. "Debt" means the amount of liability determined under sub. (3).

2. "Debtor" means an individual who is liable under sub. (3).

3. "Disposable earnings" means that part of the earnings of any debtor after the deduction from those earnings of any amounts required by law to be withheld, any life, health, dental or similar type of insurance premiums, union dues, any amount necessary to comply with a court order to contribute to the support of minor children, and any levy, wage assignment or garnishment executed prior to the date of a levy under this subsection.

4. "Federal minimum hourly wage" means that wage prescribed by 29 USC 206 (a) (1).

5. "Levy" means all powers of distraint and seizure.

6. "Property" includes all tangible and intangible personal property and rights to such property, including compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus or otherwise, periodic

payments received pursuant to a pension or retirement program, rents, proceeds of insurance and contract payments.

(b) If any debtor neglects or refuses to pay a debt after the department has made demand for payment, the department may collect that debt and the expenses of the levy by levy upon any property belonging to the debtor. Whenever the value of any property that has been levied upon under this section is not sufficient to satisfy the claim of the department, the department may levy upon any additional property of the person until the debt and expenses of the levy are fully paid.

(c) Any person in possession of or obligated with respect to property or rights to property that is subject to levy and upon which a levy has been made shall, upon demand of the department, surrender the property or rights or discharge the obligation to the department, except that part of the property or rights which is, at the time of the demand, subject to any prior attachment or execution under any judicial process.

(d) 1. Any debtor who fails or refuses to surrender any property or rights to property that is subject to levy, upon demand by the department, is subject to proceedings to enforce the amount of the levy.

2. Any 3rd party who fails to surrender any property or rights to property subject to levy, upon demand of the department, is subject to proceedings to enforce the levy. The 3rd party is not liable to the department under this subdivision for more than 25% of the debt. The department shall serve the levy as provided under par. (m) on any 3rd party who fails to surrender property under this subdivision. Proceedings may not be initiated by the department until 5 days after service of the demand.

3. When a 3rd party surrenders the property or rights to the property on demand of the department or discharges the obligation to the department for which the levy is made, the 3rd party is discharged from any obligation or liability to the debtor with respect to the property or rights to the property arising from the surrender or payment to the department.

(e) 1. If the department has levied upon property, any person, other than the debtor who is liable to pay the debt out of which the levy arose, who claims an interest in or lien on that property and claims that that property was wrongfully levied upon may bring a civil action against the state in the circuit court for Dane County. That action may be brought whether or not that property has been surrendered to the department. The court may grant only the relief under subd. 2. No other action to question the validity of or restrain or enjoin a levy by the department may be maintained.

2. In an action under subd. 1., if a levy would irreparably injure rights to property, the court may enjoin the enforcement of that levy. If the court determines that the property has been wrongfully levied upon, it may grant a judgment for the amount of money obtained by levy.

3. For purposes of an adjudication under this paragraph, the determination of the debt upon which the interest or lien of the department is based is conclusively presumed to be valid.

(f) The department shall determine its costs and expenses to be paid in all cases of levy.

(g) 1. The department shall apply all money obtained under this subsection first against the expenses of the proceedings and then against the liability in respect

to which the levy was made and any other liability owed to the department by the debtor.

2. The department may refund or credit any amount left after the applications under subd. 1., upon submission of a claim for that amount and satisfactory proof of the claim, to the person entitled to that amount.

(h) The department may release the levy upon all or part of property levied upon to facilitate the collection of the liability or to grant relief from a wrongful levy, but that release does not prevent any later levy.

(j) If the department determines that property has been wrongfully levied upon, the department may return the property at any time, or may return an amount of money equal to the amount of money levied upon.

(k) Any person who removes, deposits or conceals or aids in removing, depositing or concealing any property upon which a levy is authorized under this subsection with intent to evade or defeat the assessment or collection of any debt may be fined not more than $5,000 or imprisoned for not more than 3 years or both, and shall be liable to the state for the costs of prosecution.

(L) If no appeal or other proceeding for review permitted by law is pending and the time for taking an appeal or petitioning for review has expired, the department shall make a demand to the debtor for payment of the debt which is subject to levy and give notice that the department may pursue legal action for collection of the debt against the debtor. The department shall make the demand for payment and give the notice at least 10 days prior to the levy, personally or by any type of mail service which requires a signature of acceptance, at the address of the debtor as it appears on the records of the department. The demand for payment and notice shall include a statement of the amount of the debt, including interest and penalties, and the name

of the debtor who is liable for the debt. The debtor's refusal or failure to accept or receive the notice does not prevent the department from making the levy. Notice prior to levy is not required for a subsequent levy on any debt of the same debtor within one year of the date of service of the original levy.

(m) 1. The department shall serve the levy upon the debtor and 3rd party by personal service or by any type of mail service which requires a signature of acceptance.

2. Personal service shall be made upon an individual, other than a minor or incapacitated person, by delivering a copy of the levy to the debtor or 3rd party personally; by leaving a copy of the levy at the debtor's dwelling or usual place of abode with some person of suitable age and discretion residing there; by leaving a copy of the levy at the business establishment with an officer or employe of the establishment; or by delivering a copy of the levy to an agent authorized by law to receive service of process.

3. The department representative who serves the levy shall certify service of process on the notice of levy form and the person served shall acknowledge receipt of the certification by signing and dating it. If service is made by mail, the return receipt is the certificate of service of the levy.

4. The debtor's or 3rd party's failure to accept or receive service of the levy does not invalidate the levy.

(n) Within 20 days after the service of the levy upon a 3rd party, the 3rd party shall file an answer with the department stating whether the 3rd party is in possession of or obligated with respect to property or rights to property of the debtor, including a description of the property or the rights to property and the nature and dollar amount of any such obligation.

(p) A levy is effective from the date on which the levy is first served on the 3rd party until the liability out of which the levy arose is satisfied, until the levy is released or until one year from the date of service, whichever occurs first.

(q) 1. The debtor is entitled to an exemption from levy of the greater of the following:

a. A subsistence allowance of 75% of the debtor's disposable earnings then due and owing.

b. An amount equal to 30 times the federal minimum hourly wage for each full week of the debtor's pay period; or, in the case of earnings for a period other than a week, a subsistence allowance computed so that it is equivalent to that amount using a multiple of the federal minimum hourly wage prescribed by the department by rule.

2. The first $1,000 of an account in a depository institution is exempt from any levy to recover a benefit overpayment.

(r) No employer may discharge or otherwise discriminate with respect to the terms and conditions of employment against any employe by reason of the fact that his or her earnings have been subject to levy for any one levy or because of compliance with any provision of this subsection. Any person who violates this paragraph may be fined not more than $1,000 or imprisoned for not more than one year or both.

(s) Any debtor who is subject to a levy proceeding made by the department has the right to appeal the levy proceeding under ch. 227.44. The appeal is limited to questions of prior payment of the debt that the department is proceeding against, and mistaken identity of the debtor. The levy is not stayed pending an appeal in any case where property is secured through the levy.

(t) Any 3rd party is entitled to a levy fee of $5 for each levy in any case where property is secured through the levy. The 3rd party shall deduct the fee from the proceeds of the levy.

**SECTION 1343.** 49.195 (3n) (k) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

49.195 **(3n)** (k) Any person who removes, deposits or conceals or aids in removing, depositing or concealing any property upon which a levy is authorized under this subsection with intent to evade or defeat the assessment or collection of any debt may be fined not more than $5,000 or imprisoned for not more than ~~3 years~~ 4 years and 6 months or both, and shall be liable to the state for the costs of prosecution.

**SECTION 1344.** 49.195 (3n) (r) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

49.195 **(3n)** (r) No employer may discharge or otherwise discriminate with respect to the terms and conditions of employment against any employe by reason of the fact that his or her earnings have been subject to levy for any one levy or because of compliance with any provision of this subsection. Any person who violates this paragraph may be fined not more than $1,000 or imprisoned for not more than ~~one year~~ 2 years or both.

**SECTION 1345.** 49.195 (3p) of the statutes is created to read:

49.195 **(3p)** The availability of the remedies under subs. (3m) and (3n) does not abridge the right of the department to pursue other remedies.

**SECTION 1346.** 49.195 (3r) of the statutes is created to read:

49.195 **(3r)** From the appropriation under s. 20.445 (3) (L) the department may contract with or employ a collection agency or other person to enforce a repayment

obligation of a person who is found liable under sub. (3) who is delinquent in making repayments.

**SECTION 1347.** 49.20 of the statutes is repealed.

**SECTION 1348.** 49.21 of the statutes is repealed.

**SECTION 1350m.** 49.23 of the statutes is repealed.

**SECTION 1352.** 49.24 (1) of the statutes, as affected by 1997 Wisconsin Act 27, section 1882n, is amended to read:

49.24 **(1)** From the appropriation under s. 20.445 (3) (k), the department shall provide child support incentive payments to counties ~~to offset reduced federal child support incentive payments~~. Total payments under this subsection may not exceed ~~$3,178,000 in fiscal year 1997–98 or $3,850,000 in fiscal year 1998–99~~ $5,690,000 per year.

**SECTION 1352f.** 49.24 (2) of the statutes is renumbered 49.24 (2) (a) and amended to read:

49.24 **(2)** (a) The department shall ~~distribute the payments under sub. (1) in accordance with a formula developed by the department~~, in consultation with representatives of counties, promulgate a rule that specifies the formula according to which the payments under sub. (1) and federal child support incentive payments will be distributed to counties. The rule shall provide that the total of state and federal incentive payments per year to a county may not exceed the costs per year of the county's child support program under s. 49.22.

(b) The total of payments made to counties under sub. (1) and in federal child support incentive payments may not exceed ~~$10,500,000 in a state fiscal~~ $12,340,000 per year.

**SECTION 1352g.** 49.24 (3) of the statutes is amended to read:

49.24 **(3)** A county that receives any state child support incentive payment under sub. (1) or any federal child support incentive payment may use the funds only to pay costs under its child support program under s. 49.22.

**SECTION 1353.** 49.25 of the statutes is repealed.

**SECTION 1354.** 49.26 (1) (h) 1. as. of the statutes is amended to read:

49.26 **(1)** (h) 1. as. The individual has failed to request a hearing or has failed to show good cause for not cooperating with case management efforts in a hearing. ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested and held under s. 49.21 (1). If the individual is a member of a Wisconsin works group, as defined in s. 49.141 (1) (s), the~~ The hearing shall be requested and held under s. 49.152. The department shall determine by rule the criteria for good cause.

**SECTION 1355.** 49.27 of the statutes is repealed.

**SECTION 1356.** 49.30 (1m) (c) of the statutes is created to read:

49.30 **(1m)** (c) If a request for payment under sub. (1) is made more than 12 months after the death of the recipient, the county or applicable tribal governing body or organization responsible for burial of the recipient is not required to make a payment for cemetery, funeral or burial expenses.

**SECTION 1356m.** 49.33 (1) (b) of the statutes is amended to read:

49.33 **(1)** (b) "Income maintenance program" means aid to families with dependent children under s. 49.19, Wisconsin works under ss. 49.141 to 49.161~~,~~ ~~medical assistance under subch. IV of ch. 49~~ or the food stamp program under 7 USC 2011 to 2029.

**SECTION 1356n.** 49.33 (8) (a) of the statutes is amended to read:

49.33 **(8)** (a) The department shall reimburse each county for reasonable costs of income maintenance relating to the administration of the programs under this

subchapter ~~and subch. IV~~ according to a formula based on workload within the limits of available state and federal funds under s. 20.445 (3) (dz), (md) and (nL) by contract under s. 49.33 (2). The amount of reimbursement calculated under this paragraph and par. (b) is in addition to any reimbursement provided to a county for fraud and error reduction under s. 49.197 (1m) and (4).

**SECTION 1357.** 49.36 (2) of the statutes is amended to read:

49.36 **(2)** The department may contract with any county or Wisconsin works agency to administer a work experience and job training program for parents who are not custodial parents and who fail to pay child support or to meet their children's needs for support as a result of unemployment or underemployment. The program may provide the kinds of work experience and job training services available from the program under s. 49.193, 1997 stats., or s. 49.147 (3) or (4). The program may also include job search and job orientation activities. The department shall fund the program from the appropriation under s. 20.445 (3) (dz).

**SECTION 1358.** 49.36 (3) (g) of the statutes is repealed.

**SECTION 1359.** 49.36 (7) of the statutes is amended to read:

49.36 **(7)** The department shall pay a county or Wisconsin works agency ~~$200~~ $400 for each person who participates in the program under this section in the region in which the county or Wisconsin works agency administers the program under this section. The county or Wisconsin works agency shall pay any additional costs of the program.

**SECTION 1360.** 49.37 of the statutes is repealed.

**SECTION 1361.** 49.43 (8) of the statutes is amended to read:

49.43 **(8)** "Medical assistance" means any services or items under ss. 49.45 to ~~49.47~~ 49.472, except s. 49.472 (6), and under ss. 49.49 to 49.497, or any payment or reimbursement made for such services or items.

**SECTION 1361v.** 49.45 (2) (a) 3. of the statutes is amended to read:

49.45 **(2)** (a) 3. Determine the eligibility of persons for medical assistance, rehabilitative and social services under ss. 49.46, 49.468 and 49.47 and rules and policies adopted by the department and may designate this function to the county department under s. 46.215, 46.22 or 46.23 or, to the extent permitted by federal law or a waiver from federal secretary of health and human services, to a Wisconsin works agency. Any person who determines eligibility for medical assistance in a location other than in an office of the department or of a county department of human services or of social services shall be permitted to review and update information on existing records of an individual who is seeking from that person an eligibility determination for medical assistance, even if the individual's case was assigned to a different person as a result of the individual's seeking or receiving other public assistance.

**SECTION 1362.** 49.45 (2) (a) 4. of the statutes is amended to read:

49.45 **(2)** (a) 4. To the extent funds are available under s. 20.435 ~~(1)~~ (4) (bm), certify all proper charges and claims for administrative services to the department of administration for payment and the department of administration shall draw its warrant forthwith.

**SECTION 1371.** 49.45 (2) (a) 17. of the statutes is amended to read:

49.45 **(2)** (a) 17. Notify the governor, the joint committee on legislative organization, the joint committee on finance and appropriate standing committees,

as determined by the presiding officer of each house, if the appropriation under s. 20.435 ~~(5)~~ (4) (b) is insufficient to provide the state share of medical assistance.

**SECTION 1373v.** 49.45 (3) (a) of the statutes is amended to read:

49.45 **(3)** (a) Reimbursement shall be made to each county department under ss. 46.215, 46.22 and 46.23 for the administrative services performed in the medical assistance program ~~on the basis of s. 49.33 (8)~~ according to a formula based on workload. For purposes of reimbursement under this paragraph, assessments completed under s. 46.27 (6) (a) are administrative services performed in the medical assistance program.

**SECTION 1374.** 49.45 (3) (ag) of the statutes is amended to read:

49.45 **(3)** (ag) Reimbursement shall be made to each entity contracted with under s. ~~46.271 (2m)~~ 46.281 (1) (d) for ~~assessments completed~~ functional screens performed under s. ~~46.271 (2m) (a) 2.~~ 46.281 (1) (d).

**SECTION 1375.** 49.45 (3) (am) 1. of the statutes is amended to read:

49.45 **(3)** (am) 1. From the appropriation under s. 20.435 ~~(1)~~ (4) (bm), the department shall make incentive payments to counties to encourage counties to identify medical assistance applicants and recipients who have other health care coverage and the providers of the health care coverage and give that information to the department.

**SECTION 1376m.** 49.45 (3) (fm) of the statutes is created to read:

49.45 **(3)** (fm) The department shall seek, on behalf of dentists who are providers, federal reimbursement for the cost of any equipment that the department requires dentists to use to verify medical assistance eligibility electronically. If the department is successful in obtaining federal reimbursement of that expense, the

department shall reimburse dentists who are providers for the portion of the cost of the equipment that is reimbursed by the federal government.

**SECTION 1381.** 49.45 (3) (j) of the statutes is amended to read:

49.45 **(3)** (j) Reimbursement for administrative contract costs under this section is limited to the funds available under s. 20.435 ~~(1)~~ (4) (bm).

**SECTION 1382.** 49.45 (5m) (a) of the statutes is renumbered 49.45 (5m) (am) and amended to read:

49.45 **(5m)** (am) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than $2,256,000 in each fiscal year, to provide supplemental funds to rural hospitals that, as determined by the department, have high utilization of inpatient services by patients whose care is provided from governmental sources, and to provide supplemental funds to critical access hospitals, except that the department may not distribute funds to a rural hospital or to a critical access hospital to the extent that the distribution would exceed any limitation under 42 USC 1396b (i) (3).

**SECTION 1383.** 49.45 (5m) (ag) of the statutes is created to read:

49.45 **(5m)** (ag) In this subsection, "critical access hospital" has the meaning given in s. 50.33 (1g).

**SECTION 1384.** 49.45 (5m) (b) of the statutes is amended to read:

49.45 **(5m)** (b) The supplemental funding for rural hospitals under par. ~~(a)~~ (am) shall be based on the utilization, by recipients of medical assistance, of the total inpatient days of a rural hospital in relation to that utilization in other rural hospitals.

**SECTION 1385.** 49.45 (6b) (intro.) of the statutes is renumbered 49.45 (6b) and amended to read:

49.45 **(6b)** CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of services provided by the centers for the developmentally disabled. Reimbursement to the centers for the developmentally disabled shall be reduced following each placement made under s. 46.275 ~~which~~ that involves a relocation from a center for the developmentally disabled, ~~as follows:~~ by $184 per day, beginning in fiscal year 1999–2000, and by $190 per day, beginning in fiscal year 2000–01.

**SECTION 1386.** 49.45 (6b) (a) of the statutes is repealed.

**SECTION 1387.** 49.45 (6b) (b) of the statutes is repealed.

**SECTION 1388.** 49.45 (6b) (c) of the statutes is repealed.

**SECTION 1389.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this subsection made under s. 20.435 ~~(1) (p) or (5) (b)~~ (4) (b), (pa) or (o) shall, except as provided in pars. (bg), (bm) and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall implement standards that are necessary and proper for providing patient care and that meet quality and safety standards established under subch. II of ch. 50 and ch. 150. The payment system shall reflect all of the following:

**SECTION 1390b.** 49.45 (6m) (ag) 3m. of the statutes is amended to read:

49.45 **(6m)** (ag) 3m. For state fiscal year ~~1997–98~~ 1999–2000, rates that shall be set by the department based on information from cost reports for the ~~1996~~ 1998 fiscal year of the facility and for state fiscal year ~~1998–99~~ 2000–01, rates that shall be set by the department based on information from cost reports for the ~~1997~~ 1999 fiscal year of the facility.

**SECTION 1391.** 49.45 (6m) (ag) 8. of the statutes is repealed.

**SECTION 1392.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 1. a. The department shall establish standards for payment of allowable direct care costs, for facilities that do not primarily serve the developmentally disabled, that ~~are not less than the median for~~ take into account direct care costs for a sample of all of those facilities in this state and separate standards for payment of allowable direct care costs, for facilities that primarily serve the developmentally disabled, that ~~are not less than the median for~~ take into account direct care costs for a sample of all of those facilities in this state. The standards shall be adjusted by the department for regional labor cost variations.

**SECTION 1393.** 49.45 (6m) (ar) 1. cm. of the statutes is amended to read:

49.45 **(6m)** (ar) 1. cm. ~~Notwithstanding the limitations under par. (ag) 8., funding~~ Funding distributed to facilities for the provision of active treatment to residents with a diagnosis of developmental disability shall be distributed in accordance with a method developed by the department which is consistent with a prudent buyer approach to payment for services.

**SECTION 1394.** 49.45 (6m) (ar) 2. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 2. a. The department shall establish one or more standards for the payment of support service costs that ~~are not less than the median of~~ take into account support service costs for a sample of all facilities within the state.

**SECTION 1395.** 49.45 (6m) (ar) 3. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 3. a. The department shall establish standards, adjusted for heating degree day variations in the state, for payment of fuel and utility costs that ~~are not less than the median of~~ take into account heating fuel and utility costs for a sample of all facilities within the state.

**SECTION 1396.** 49.45 (6m) (ar) 4. of the statutes is amended to read:

49.45 **(6m)** (ar) 4. For net property taxes or municipal services, payment shall be made for ~~those costs that range from~~ the amount of the previous calendar year's tax or the amount of municipal service costs for a period specified by the department, subject to a maximum limit as determined by the department.

**SECTION 1397.** 49.45 (6m) (ar) 5. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 5. a. The department shall establish one or more standards for the payment of administrative and general costs that ~~are not less than the median of~~ take into account administrative and general costs for a sample of all facilities within the state.

**SECTION 1398.** 49.45 (6m) (ar) 6. of the statutes is amended to read:

49.45 **(6m)** (ar) 6. Capital payment shall be based on a replacement value for a facility. The replacement value shall be determined by a commercial estimator contracted for by the department and paid for by the facility. The replacement value shall be subject to limitations determined by the department~~, except that the department may not reduce final capital payment of a facility by more than $3.50 per patient day~~.

**SECTION 1399.** 49.45 (6m) (av) 1. of the statutes is amended to read:

49.45 **(6m)** (av) 1. The department shall calculate a payment rate for a facility by applying the criteria set forth under pars. (ag) 1. to 5.~~,~~ and 7. ~~and 8.~~, (am) 1. to 5. and (ar) 1. to 5. to information from cost reports submitted by the facility.

**SECTION 1400.** 49.45 (6m) (av) 5m. of the statutes is amended to read:

49.45 **(6m)** (av) 5m. ~~Notwithstanding the limitations under par. (ag) 8., the~~ The rate under subd. 1., 4. or 5. may be adjusted by the department to reflect payments for the provision of active treatment to facility residents with a diagnosis of developmental disability.

**SECTION 1401.** 49.45 (6m) (bp) (intro.) of the statutes is amended to read:

49.45 **(6m)** (bp) (intro.) Notwithstanding pars. ~~(ag) 3m.,~~ (am) 6. and (ar) 6., the department may establish payment methods based on actual costs for capital payment for a facility to which, after December 31, 1982, any of the following applies:

**SECTION 1402.** 49.45 (6m) (br) 1. of the statutes is amended to read:

49.45 **(6m)** (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 ~~(5)~~ (4) (bt) ~~or (bu)~~ or (7) (b) or 20.445 (3) (dz), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.435 ~~(5)~~ (4) (bt) ~~or (bu)~~ or (7) (b), or the department shall direct the department of workforce development to reduce allocations of funds to counties or Wisconsin works agencies in the amount of the disallowance from the appropriation account under s. 20.445 (3) (dz) or direct the department of corrections to reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.410 (3) (cd), in accordance with s. 16.544 to the extent applicable.

**SECTION 1403.** 49.45 (6m) (c) 5. of the statutes is amended to read:

49.45 **(6m)** (c) 5. Admit only patients assessed or who waive or are exempt from the requirement of assessment under s. 46.27 (6) (a) or, if required under s. 50.035 (4n) or 50.04 (2h), who have been referred to a resource center.

**SECTION 1404.** 49.45 (6t) (intro.) of the statutes is amended to read:

49.45 **(6t)** COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42 or by a local health department, as defined in s. 250.01 (4), for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management

services under s. 49.46 (2) (b) 12. and for mental health day treatment services for minors provided under the authorization under 42 USC 1396d (r) (5), the department shall allocate up to $4,500,000 in each fiscal year to these county departments, or local health departments as determined by the department, and shall perform all of the following:

**SECTION 1405.** 49.45 (6t) (d) of the statutes is amended to read:

49.45 **(6t)** (d) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal medicaid funds under par. (c), reduce allocations under this subsection and distribute on a prorated basis, as determined by the department.

**SECTION 1406.** 49.45 (6u) (intro.) of the statutes is amended to read:

49.45 **(6u)** SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.) Notwithstanding sub. (6m), from the appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a facility, as defined under sub. (6m) (a) 3., that is established under s. 49.70 (1) or that is owned and operated by a city, village or town, the department may not distribute to these facilities more than $38,600,000 in each fiscal year, as determined by the department, except that the department shall also distribute for this same purpose from the appropriation under s. 20.435 ~~(5)~~ (4) (o) any additional federal medical assistance moneys that were not anticipated before enactment of the biennial budget act or other legislation affecting s. 20.435 ~~(5)~~ (4) (o) ~~and that were not used to fund nursing home rate increases under sub. (6m) (ag) 8~~. The total amount that a county certifies under this subsection may not exceed 100%

of otherwise–unreimbursed care. In distributing funds under this subsection, the department shall perform all of the following:

**SECTION 1407.** 49.45 (6u) (d) of the statutes is amended to read:

49.45 **(6u)** (d) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection, allocate not more than the lesser amount so approved by the federal department of health and human services.

**SECTION 1408.** 49.45 (6u) (e) of the statutes is amended to read:

49.45 **(6u)** (e) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection, submit a revision of the method developed under par. (b) for approval by the joint committee on finance in that state fiscal year.

**SECTION 1409.** 49.45 (6v) (b) of the statutes is amended to read:

49.45 **(6v)** (b) The department shall, each year, submit to the joint committee on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that provides information on the utilization of beds by recipients of medical assistance in facilities and a discussion and detailed projection of the likely balances, expenditures, encumbrances and carry over of currently appropriated amounts in the appropriation accounts under s. 20.435 (4) (b) and (o).

**SECTION 1410.** 49.45 (6v) (c) of the statutes is amended to read:

49.45 **(6v)** (c) If the report specified in par. (b) indicates that utilization of beds by recipients of medical assistance in facilities ~~decreased~~ is less than estimates for that utilization reflected in the intentions of the joint committee on finance,

legislature and governor, as expressed by them in the budget determinations, the department shall include a proposal to transfer moneys from the appropriation under s. 20.435 ~~(5)~~ (4) (b) to the appropriation under s. 20.435 (7) (bd) for the purpose of increasing funding for the community options program under s. 46.27. The amount proposed for transfer may not reduce the balance in the appropriation account under s. 20.435 (4) (b) below an amount necessary to ensure that that appropriation account will end the current fiscal year or the current fiscal biennium with a positive balance. The secretary shall transfer the amount identified under the proposal.

**SECTION 1411.** 49.45 (6w) (intro.) of the statutes is amended to read:

49.45 **(6w)** HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a hospital, as defined under s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.71 or owned and operated by a city or village, the department shall allocate up to $3,300,000 in each fiscal year to these hospitals, as determined by the department, and shall perform all of the following:

**SECTION 1412.** 49.45 (6w) (d) of the statutes is amended to read:

49.45 **(6w)** (d) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal medicaid funds under par. (c), reduce allocations under this subsection and distribute on a prorated basis, as determined by the department.

**SECTION 1413.** 49.45 (6x) (a) of the statutes is amended to read:

49.45 **(6x)** (a) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than $4,748,000 in each fiscal year, to provide funds to an essential access city hospital, except that the department may not allocate funds to an essential access city hospital to the extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

**SECTION 1414.** 49.45 (6x) (d) of the statutes is amended to read:

49.45 **(6x)** (d) If the federal department of health and human services approves for state expenditure in any state fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser distribution amount than that distributed under this subsection or disallows use of federal medicaid funds under par. (a), the department of health and family services shall reduce the distributions under this subsection.

**SECTION 1415.** 49.45 (6y) (a) of the statutes is amended to read:

49.45 **(6y)** (a) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute funding in each fiscal year to provide supplemental payment to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3). If no relief block grant is awarded under this chapter or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2).

**SECTION 1416.** 49.45 (6y) (am) of the statutes is created to read:

49.45 **(6y)** (am) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 (4) (b), (h) and (o) the department shall distribute funding in each fiscal year

to provide supplemental payments to hospitals that enter into contracts under s. 49.02 (2) with a county having a population of 500,000 or more to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3).

**SECTION 1417.** 49.45 (6y) (b) of the statutes is amended to read:

49.45 **(6y)** (b) The department need not promulgate as rules under ch. 227 the procedures, methods of distribution and criteria required for distribution under ~~par.~~ pars. (a) and (am).

**SECTION 1418.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

49.45 **(6z)** (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute funding in each fiscal year to supplement payment for services to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant under this chapter, if the department determines that the hospitals serve a disproportionate number of low–income patients with special needs. If no medical relief block grant under this chapter is awarded or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2). The department may not distribute funds under this subsection to the extent that the distribution would do any of the following:

**SECTION 1419.** 49.45 (8) (b) of the statutes is amended to read:

49.45 **(8)** (b) Reimbursement under s. 20.435 ~~(5)~~ (4) (b) and (o) for home health services provided by a certified home health agency or independent nurse shall be made at the home health agency's or nurse's usual and customary fee per patient care

visit, subject to a maximum allowable fee per patient care visit that is established under par. (c).

**SECTION 1424m.** 49.45 (22) of the statutes is amended to read:

49.45 **(22)** MEDICAL ASSISTANCE SERVICES PROVIDED BY HEALTH MAINTENANCE ORGANIZATIONS. If the department contracts with health maintenance organizations for the provision of medical assistance it shall give special consideration to health maintenance organizations that provide or that contract to provide comprehensive, specialized health care services to pregnant teenagers. <u>If the department contracts with health maintenance organizations for the provision of medical assistance, the department shall include in the contract a lead screening performance standard that requires the health maintenance organization to provide annually at least one lead blood test to at least 65% of the children ages 1 to 5 years who have been enrolled in the health maintenance organization for at least 6 months during the applicable year. The department shall specify in the contract financial penalties for failure to meet the lead screening performance standard.</u>

**SECTION 1426.** 49.45 (24m) (intro.) of the statutes is amended to read:

49.45 **(24m)** HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.) From the appropriations under s. 20.435 ~~(5)~~ <u>(4)</u> (b) and (o), in order to test the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients that is based on competitive bidding, the department shall:

**SECTION 1427g.** 49.45 (39) (a) 1. of the statutes is amended to read:

49.45 **(39)** (a) 1. "School" means a public school described under s. 115.01 (1) ~~or~~, a charter school, as defined in s. 115.001 (1)<u>, the Wisconsin School for the Visually Handicapped or the Wisconsin School for the Deaf</u>. It includes school–operated early

childhood programs for developmentally delayed and disabled 4–year–old and 5–year–old children.

**SECTION 1427h.** 49.45 (39) (am) of the statutes is amended to read:

49.45 **(39)** (am) *Plan amendment.* No later than September 30, 1995, the department shall submit to the federal department of health and human services an amendment to the state medical assistance plan to permit the application of pars. (b) ~~to~~ and (c). If the amendment to the state plan is approved, school districts ~~and~~, cooperative educational service agencies and the department of public instruction on behalf of the Wisconsin School for the Visually Handicapped and the Wisconsin School for the Deaf claim reimbursement under pars. (b) ~~to~~ and (c). Paragraphs (b) ~~to~~ and (c) do not apply unless the amendment to the state plan is approved and in effect. The department shall submit to the federal department of health and human services an amendment to the state plan if necessary to permit the application of pars. (b) and (c) to the Wisconsin School for the Visually Handicapped and the Wisconsin School for the Deaf.

**SECTION 1427i.** 49.45 (39) (b) of the statutes is amended to read:

49.45 **(39)** (b) *Payment for school medical services.* If a school district or a cooperative educational service agency elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the school district or the cooperative educational service agency for 60% of the federal share of allowable charges for the school medical services that it provides and for allowable administrative costs. If the Wisconsin School for the Visually Handicapped or the Wisconsin School for the Deaf elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the department of public instruction for 60% of the federal share of allowable charges for the school

medical services that the Wisconsin School for the Visually Handicapped or the Wisconsin School for the Deaf provides and for allowable administrative costs. The department shall promulgate rules establishing a methodology for making reimbursements under this paragraph. All other expenses for the school medical services provided by a school district or a cooperative educational service agency shall be paid for by the school district or the cooperative educational service agency with funds received from state or local taxes. The school district, the Wisconsin School for the Visually Handicapped, the Wisconsin School for the Deaf or the cooperative educational service agency shall comply with all requirements of the federal department of health and human services for receiving federal financial participation.

**SECTION 1428.** 49.45 (46) of the statutes is created to read:

49.45 **(46)** ALCOHOL AND OTHER DRUG ABUSE RESIDENTIAL TREATMENT SERVICES. (a) If a county, city, town or village elects to become certified as a provider of alcohol and other drug abuse residential treatment services or to contract with a certified provider to provide the services, the county, city, town or village may provide directly or under contract alcohol and other drug abuse residential treatment services in facilities with fewer than 16 beds under this subsection in the county, city, town or village to medical assistance recipients through the medical assistance program. A county, city, town or village that elects to provide or to contract for the services shall pay the amount of the allowable charges for the services under the medical assistance program that is not provided by the federal government. The department shall reimburse the county, city, town or village under this subsection only for the amount of the allowable charges for those services under the medical assistance program that is provided by the federal government.

(b) This subsection does not apply after July 1, 2003.

**SECTION 1429.** 49.45 (47) of the statutes is created to read:

49.45 **(47)** ADULT DAY CARE CENTERS. (a) In this subsection, "adult day care center" means an entity that provides services for part of a day in a group setting to adults who need an enriched health–supportive or social experience and who may need assistance with activities of daily living, supervision or protection.

(b) No person may receive reimbursement under s. 46.27 (11) for the provision of services to clients in an adult day care center unless the adult day care center is certified by the department under sub. (2) (a) 11. as a provider of medical assistance.

(c) The biennial fee for the certification required under par. (b) of an adult day care center is $89, plus a biennial fee of $17.80 per client, based on the number of clients that the adult day care center is certified to serve. Fees collected under this paragraph shall be credited to the appropriation account under s. 20.435 (6) (jm).

(d) The department, by rule, may increase any fee specified in par. (c).

**SECTION 1430.** 49.453 (4) (title) of the statutes is amended to read:

49.453 **(4)** (title) IRREVOCABLE ANNUITIES<u>, PROMISSORY NOTES AND SIMILAR TRANSFERS</u>.

**SECTION 1431.** 49.453 (4) (a) of the statutes is renumbered 49.453 (4) (a) (intro.) and amended to read:

49.453 **(4)** (a) (intro.) For the purposes of sub. (2), whenever a covered individual or his or her spouse, or another person acting on behalf of the covered individual or his or her spouse, transfers assets to an irrevocable annuity<u>, or transfers assets by promissory note or similar instrument,</u> in an amount that exceeds the expected value of the benefit, the covered individual or his or her spouse transfers assets for less than fair market value. <u>A transfer to an annuity, or a transfer by</u>

promissory note or similar instrument, is not in excess of the expected value only if all of the following are true:

**SECTION 1432.** 49.453 (4) (a) 1. and 2. of the statutes are created to read:

49.453 **(4)** (a) 1. a. The periodic payments back to the transferor include principal and interest that, at the time that the transfer is made, is at least at one of the following:

a. For an annuity, promissory note or similar instrument that is not specified under subd. 1. b. or par. (am), the applicable federal rate required under section 1274 (d) of the Internal Revenue Code, as defined in s. 71.01 (6).

b. For an annuity with a guaranteed life payment, the appropriate average of the applicable federal rates based on the expected length of the annuity minus 1.5%.

2. The terms of the instrument provide for a payment schedule that includes equal periodic payments, except that payments may be unequal if the interest payments are tied to an interest rate and the inequality is caused exclusively by fluctuations in that rate.

**SECTION 1432g.** 49.453 (4) (am) of the statutes is created to read:

49.453 **(4)** (am) Paragraph (a) 1. does not apply to a variable annuity that is tied to a mutual fund that is registered with the federal securities and exchange commission.

**SECTION 1433.** 49.453 (4) (c) of the statutes is amended to read:

49.453 **(4)** (c) The department shall promulgate rules specifying the method to be used in calculating the expected value of the benefit, based on 26 CFR 1.72–1 to 1.72–18, and specifying the criteria for adjusting the expected value of the benefit based on a medical condition diagnosed by a physician before the assets were transferred to the annuity, or transferred by promissory note or similar instrument.

In calculating the amount of the divestment when a transfer to an annuity, or a transfer by promissory note or similar instrument, is made, payments made to the transferor in any year subsequent to the year in which the transfer was made shall be discounted to the year in which the transfer was made by the applicable federal rate specified under par. (a) on the date of the transfer.

**SECTION 1433t.** 49.46 (1) (a) 1m. of the statutes is amended to read:

49.46 **(1)** (a) 1m. Any pregnant woman who meets the ~~resource and~~ income limits under s. 49.19 (4) ~~(bm) and~~ (es) and whose pregnancy is medically verified. Eligibility continues to the last day of the month in which the 60th day after the last day of the pregnancy falls.

**SECTION 1433u.** 49.46 (1) (a) 12. of the statutes is amended to read:

49.46 **(1)** (a) 12. Any child not described under subd. 1. who is under 19 years of age and who meets the ~~resource and~~ income limits under s. 49.19 (4) (es).

**SECTION 1433v.** 49.46 (1) (a) 14m. of the statutes is created to read:

49.46 **(1)** (a) 14m. Any person who would meet the financial and other eligibility requirements for home or community–based services under the family care benefit but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3), if a waiver under s. 46.281 (1) (c) is in effect or federal law permits federal financial participation for medical assistance coverage of the person and if funding is available for the person under the family care benefit.

**SECTION 1434.** 49.46 (1p) of the statutes is created to read:

49.46 **(1p)** DEMONSTRATION PROJECT FOR PERSONS WITH HIV. The department shall request a waiver from the secretary of the federal department of health and human services to allow the department to provide under this section coverage of services specified under sub. (2) (b) 17. for persons who have HIV infection, as defined

in s. 252.01 (2). If a waiver is granted and in effect, the department shall provide coverage for the services specified under sub. (2) (b) 17. for persons who qualify under the terms of the waiver.

**SECTION 1434t.** 49.46 (2) (b) 1. (intro.) of the statutes is amended to read:

49.46 **(2)** (b) 1. (intro.) Dentists' services, which, except as provided in s. 49.45 (24g), and except for dentists' services provided pursuant to a federal waiver to individuals who have attained the age of 65, shall be provided on a fee–for–service basis and limited to basic services within each of the following categories:

**SECTION 1435.** 49.46 (2) (b) 8. of the statutes is amended to read:

49.46 **(2)** (b) 8. Home or community–based services, if provided under s. 46.27 (11), 46.275, 46.277 or 46.278 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c).

**SECTION 1436.** 49.46 (2) (b) 17. of the statutes is created to read:

49.46 **(2)** (b) 17. If a waiver under sub. (1p) is granted and in effect, clinical evaluation services, as defined by the department, for persons who qualify for coverage under sub. (1p).

**SECTION 1437.** 49.46 (2) (b) 18. of the statutes is created to read:

49.46 **(2)** (b) 18. Alcohol or other drug abuse residential treatment services of no more than 45 days per treatment episode, under s. 49.45 (46). This subdivision does not apply after July 1, 2003.

**SECTION 1438.** 49.47 (4) (as) 1. of the statutes is amended to read:

49.47 **(4)** (as) 1. The person would meet the financial and other eligibility requirements for home or community–based services under s. 46.27 (11) or 46.277 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c) but for

the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3).

**SECTION 1439.** 49.47 (4) (as) 3. of the statutes is amended to read:

49.47 **(4)** (as) 3. Funding is available for the person under s. 46.27 (11) or 46.277 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c).

**SECTION 1440.** 49.472 of the statutes is created to read:

**49.472 Medical assistance purchase plan. (1)** DEFINITIONS. In this section:

(a) "Earned income" has the meaning given in 42 USC 1382a (a) (1).

(am) "Family" means an individual, the individual's spouse and any dependent child, as defined in s. 49.141 (1) (c), of the individual.

(b) "Health insurance" means surgical, medical, hospital, major medical or other health service coverage, including a self–insured health plan, but does not include hospital indemnity policies or ancillary coverages such as income continuation, loss of time or accident benefits.

(c) "Independence account" means an account approved by the department that consists solely of savings, and dividends or other gains derived from those savings, from income earned from paid employment after the initial date that an individual began receiving medical assistance under this section.

(d) "Medical assistance purchase plan" means medical assistance, eligibility for which is determined under this section.

(e) "Unearned income" has the meaning given in 42 USC 1382a (a) (2).

**(2)** WAIVERS AND AMENDMENTS. The department shall submit to the federal department of health and human services an amendment to the state medical assistance plan, and shall request any necessary waivers from the secretary of the federal department of health and human services, to permit the department to

expand medical assistance eligibility as provided in this section. If the state plan amendment and all necessary waivers are approved and in effect, the department shall implement the medical assistance eligibility expansion under this section not later than January 1, 2000, or 3 months after full federal approval, whichever is later.

**(3)** ELIGIBILITY. Except as provided in sub. (6) (a), an individual is eligible for and shall receive medical assistance under this section if all of the following conditions are met:

(a) The individual's family's net income is less than 250% of the poverty line for a family the size of the individual's family. In calculating the net income, the department shall apply all of the exclusions specified under 42 USC 1382a (b).

(b) The individual's assets do not exceed $15,000. In determining assets, the department may not include assets that are excluded from the resource calculation under 42 USC 1382b (a) or assets accumulated in an independence account. The department may exclude, in whole or in part, the value of a vehicle used by the individual for transportation to paid employment.

(c) The individual would be eligible for supplemental security income for purposes of receiving medical assistance but for evidence of work, attainment of the substantial gainful activity level, earned income and unearned income in excess of the limit established under 42 USC 1396d (q) (2) (B) and (D).

(e) The individual is legally able to work in all employment settings without a permit under s. 103.70.

(f) The individual maintains premium payments calculated by the department in accordance with sub. (4), unless the individual is exempted from premium payments under sub. (4) (b) or (5).

(g) The individual is engaged in gainful employment or is participating in a program that is certified by the department to provide health and employment services that are aimed at helping the individual achieve employment goals.

(h) The individual meets all other requirements established by the department by rule.

**(4)** PREMIUMS. (a) Except as provided in par. (b) and sub. (5), an individual who is eligible for medical assistance under sub. (3) and receives medical assistance shall pay a monthly premium to the department. The department shall establish the monthly premiums by rule in accordance with the following guidelines:

1. The premium for any individual may not exceed the sum of the following:

a. Three and one–half percent of the individual's earned income after the disregards specified in subd. 2m.

b. One hundred percent of the individual's unearned income after the deductions specified in subd. 2.

2. In determining an individual's unearned income under subd. 1., the department shall disregard all of the following:

a. A maintenance allowance established by the department by rule. The maintenance allowance may not be less than the sum of $20, the federal supplemental security income payment level determined under 42 USC 1382 (b) and the state supplemental payment determined under s. 49.77 (2m).

b. Medical and remedial expenses and impairment–related work expenses.

2m. If the disregards under subd. 2. exceed the unearned income against which they are applied, the department shall disregard the remainder in calculating the individual's earned income.

3. The department may reduce the premium by 25% for an individual who is covered by private health insurance.

(b) The department may waive monthly premiums that are calculated to be below $10 per month. The department may not assess a monthly premium for any individual whose income level, after adding the individual's earned income and unearned income, is below 150% of the poverty line.

**(5)** COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s. 20.435 (7) (bd), the department may pay all or a portion of the monthly premium calculated under sub. (4) (a) for an individual who is a participant in the community options program under s. 46.27 (11).

**(6)** INSURED PERSONS. (a) Notwithstanding sub. (4) (a) 3., from the appropriation under s. 20.435 (4) (b), the department shall, on the part of an individual who is eligible for medical assistance under sub. (3), pay premiums for or purchase individual coverage offered by the individual's employer if the department determines that paying the premiums for or purchasing the coverage will not be more costly than providing medical assistance.

(b) If federal financial participation is available, from the appropriation under s. 20.435 (4) (b), the department may pay medicare Part A and Part B premiums for individuals who are eligible for medicare and for medical assistance under sub. (3).

**(7)** DEPARTMENT DUTIES. The department shall do all of the following:

(a) Determine eligibility, or contract with a county department, as defined in 49.45 (6c) (a) 3., or with a tribal governing body to determine eligibility, of individuals for the medical assistance purchase plan in accordance with sub. (3).

(b) Ensure, to the extent practicable, continuity of care for a medical assistance recipient under this section who is engaged in paid employment, or is enrolled in a

home–based or community–based waiver program under section 1915 (c) of the Social Security Act, and who becomes ineligible for medical assistance.

**SECTION 1441.** 49.475 (5) of the statutes is amended to read:

49.475 **(5)** REIMBURSEMENT OF COSTS. From the appropriations under s. 20.435 ~~(1)~~ (4) (bm) and ~~(p)~~ (pa), the department shall reimburse an insurer that provides information under this section for the insurer's reasonable costs incurred in providing the requested information, including its reasonable costs, if any, to develop and operate automated systems specifically for the disclosure of information under this section.

**SECTION 1444.** 49.496 (2) (title) of the statutes is amended to read:

49.496 **(2)** (title) LIENS ON THE HOMES OF NURSING HOME RESIDENTS AND INPATIENTS AT HOSPITALS.

**SECTION 1445.** 49.496 (2) (a) of the statutes is amended to read:

49.496 **(2)** (a) Except as provided in par. (b), the department may obtain a lien on a recipient's home if the recipient resides in a nursing home, or if the recipient resides in a hospital and is required to contribute to the cost of care, and the recipient cannot reasonably be expected to be discharged from the nursing home or hospital and return home. The lien is for the amount of medical assistance paid on behalf of the recipient ~~while the recipient resides in a nursing home~~ that is recoverable under sub. (3) (a).

**SECTION 1446.** 49.496 (2) (b) 3. of the statutes is amended to read:

49.496 **(2)** (b) 3. The recipient's sibling who has an ownership interest in the home and who has lived in the home continuously beginning at least 12 months before the recipient was admitted to the nursing home or hospital.

**SECTION 1447.** 49.496 (2) (c) 1. of the statutes is amended to read:

49.496 **(2)** (c) 1. Notify the recipient in writing of its determination that the recipient cannot reasonably be expected to be discharged from the nursing home or hospital, its intent to impose a lien on the recipient's home and the recipient's right to a hearing on whether the requirements for the imposition of a lien are satisfied.

**SECTION 1448.** 49.496 (2) (f) 3. of the statutes is amended to read:

49.496 **(2)** (f) 3. A child of any age who resides in the home, if that child resided in the home for at least 24 months before the recipient was admitted to the nursing home or hospital and provided care to the recipient that delayed the recipient's admission to the nursing home or hospital.

**SECTION 1449.** 49.496 (2) (f) 4. of the statutes is amended to read:

49.496 **(2)** (f) 4. A sibling who resides in the home, if the sibling resided in the home for at least 12 months before the recipient was admitted to the nursing home or hospital.

**SECTION 1450.** 49.496 (2) (h) of the statutes is amended to read:

49.496 **(2)** (h) The department shall file a release of a lien imposed under this subsection if the recipient is discharged from the nursing home or hospital and returns to live in the home.

**SECTION 1451.** 49.496 (3) (a) (intro.) of the statutes is amended to read:

49.496 **(3)** (a) (intro.) Except as provided in par. (b), the department shall file a claim against the estate of a recipient ~~or against the estate of the surviving spouse of a recipient~~ for all of the following unless already recovered by the department under this section:

**SECTION 1452.** 49.496 (3) (a) 1. of the statutes is amended to read:

49.496 **(3)** (a) 1. The amount of medical assistance paid on behalf of the recipient while the recipient resided in a nursing home or while the recipient was an

inpatient in a ~~medical institution~~ hospital and was required to contribute to the cost of care.

**SECTION 1453.** 49.496 (3) (a) 2. a. of the statutes is amended to read:

49.496 **(3)** (a) 2. a. Home–based or community–based services under 42 USC 1396d (a) (7) and (8) and under any waiver granted under 42 USC 1396n (c) (4) (B) or 42 USC 1396u.

**SECTION 1454.** 49.496 (3) (a) 2. d. of the statutes is created to read:

49.496 **(3)** (a) 2. d. Personal care services under s. 49.46 (2) (b) 6. j.

**SECTION 1455.** 49.496 (3) (am) (intro.) of the statutes is amended to read:

49.496 **(3)** (am) (intro.) The court shall reduce the amount of a claim under par. (a) by up to ~~$3,000~~ the amount specified in s. 861.33 (2) if necessary to allow the recipient's heirs or the beneficiaries of the recipient's will to retain the following personal property:

**SECTION 1456.** 49.496 (3) (am) 3. of the statutes is amended to read:

49.496 **(3)** (am) 3. Other tangible personal property not used in trade, agriculture or other business, not to exceed ~~$1,000~~ in value the amount specified in s. 861.33 (1) (a) 4.

**SECTION 1458.** 49.496 (3) (c) of the statutes is renumbered 49.496 (3) (c) 1. and amended to read:

49.496 **(3)** (c) 1. If the department's claim is not allowable because of par. (b) and the estate includes an interest in a home, the court exercising probate jurisdiction shall, in the final judgment or summary findings and order, assign the interest in the home subject to a lien in favor of the department for the amount described in par. (a). The personal representative or petitioner for summary

settlement or summary assignment of the estate shall record the final judgment as provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

**SECTION 1459.** 49.496 (3) (c) 2. of the statutes is created to read:

49.496 **(3)** (c) 2. If the department's claim is not allowable because of par. (b), the estate includes an interest in a home and the personal representative closes the estate by sworn statement under s. 865.16, the personal representative shall stipulate in the statement that the home is assigned subject to a lien in favor of the department for the amount described in par. (a). The personal representative shall record the statement in the same manner as described in s. 863.29, as if the statement were a final judgment.

**SECTION 1460.** 49.496 (3) (f) of the statutes is created to read:

49.496 **(3)** (f) The department may contract with or employ an attorney to probate estates to recover under this subsection the costs of care.

**SECTION 1460m.** 49.496 (4) of the statutes is amended to read:

49.496 **(4)** ADMINISTRATION. The department may require a county department under s. 46.215, 46.22 or 46.23 or the governing body of a federally recognized American Indian tribe administering medical assistance to gather and provide the department with information needed to recover medical assistance under this section. The department shall pay to a county department or tribal governing body an amount equal to 5% of the recovery collected by the department relating to a beneficiary for whom the county department or tribal governing body made the last determination of medical assistance eligibility. A county department or tribal governing body may use funds received under this subsection only to pay costs incurred under this subsection and, if any amount remains, to pay for improvements to functions required under s. ~~49.33 (2)~~ 49.45 (2) (b) 1. The department may withhold

payments under this subsection for failure to comply with the department's requirements under this subsection. The department shall treat payments made under this subsection as costs of administration of the medical assistance program.

**SECTION 1461.** 49.496 (5) of the statutes is amended to read:

49.496 **(5)** USE OF FUNDS. From the appropriation under s. 20.435 ~~(5)~~ (4) (im), the department shall pay the amount of the payments under sub. (4) that is not paid from federal funds, shall pay to the federal government the amount of the funds recovered under this section equal to the amount of federal funds used to pay the benefits recovered under this section and shall spend the remainder of the funds recovered under this section for medical assistance benefits under this subchapter.

**SECTION 1462.** 49.499 (intro.) of the statutes, as affected by 1997 Wisconsin Act 27, is renumbered 49.499 (1) (intro.).

**SECTION 1463.** 49.499 (1) to (3) of the statutes are renumbered 49.499 (1) (a) to (c).

**SECTION 1464.** 49.499 (2m) of the statutes is created to read:

49.499 **(2m)** From the appropriation under s. 20.435 (6) (g), the department may distribute funds for innovative projects designed to protect the health and property of a resident in a nursing facility, as defined in s. 49.498 (1) (i).

**SECTION 1465.** 49.665 (1) (a) of the statutes is renumbered 49.665 (1) (e) and amended to read:

49.665 **(1)** (e) "~~Custodial parent~~ Parent" has the meaning given in s. 49.141 (1) ~~(b)~~ (j).

**SECTION 1466.** 49.665 (1) (b) of the statutes is repealed and recreated to read:

49.665 **(1)** (b) "Child" means a person who is under the age of 19.

**SECTION 1467.** 49.665 (1) (d) of the statutes is amended to read:

49.665 **(1)** (d) "Family" means a unit that consists of at least one ~~dependent~~ child and his or her ~~custodial~~ parent or parents, all of whom reside in the same household. "Family" includes the spouse of an individual who is a ~~custodial~~ parent if the spouse resides in the same household as the individual.

**SECTION 1468.** 49.665 (1) (f) of the statutes is created to read:

49.665 **(1)** (f) "State plan" means the state child health plan under 42 USC 1397aa (b).

**SECTION 1469.** 49.665 (3) of the statutes is amended to read:

49.665 **(3)** ADMINISTRATION. The department shall administer a program to provide the health services and benefits described in s. 49.46 (2) to ~~families~~ persons that meet the eligibility requirements specified in sub. (4). The department shall promulgate rules setting forth the application procedures and appeal and grievance procedures. The department may promulgate rules limiting access to the program under this section to defined enrollment periods. The department may also promulgate rules establishing a method by which the department may purchase family coverage offered by the employer of a member of an eligible family or by a member of a child's household under circumstances in which the department determines that purchasing that coverage would not be more costly than providing the coverage under this section.

**SECTION 1470.** 49.665 (4) (a) 1. of the statutes is amended to read:

49.665 **(4)** (a) 1. The family's income does not exceed 185% of the poverty line, except as provided in par. (at) and except that a family that is already receiving health care coverage under this section may have an income that does not exceed 200% of the poverty line. The department shall establish by rule the criteria to be used to determine income.

**SECTION 1470d.** 49.665 (4) (a) 3. of the statutes is amended to read:

49.665 **(4)** (a) 3. The family has not had access to employer–subsidized health care coverage within the time period established by the department by rule, but not to exceed 18 months, immediately preceding application for health care coverage under this section. The department may establish exceptions to this ~~subdivision~~ time period restriction by rule. An individual is not ineligible for health care coverage under this section solely because the individual had continuation coverage under 42 USC 300bb–1, et seq., at any time prior to applying for health care coverage under this section.

**SECTION 1471.** 49.665 (4) (am) of the statutes is created to read:

49.665 **(4)** (am) A child who does not reside with his or her parent is eligible for health care coverage under this section if the child meets all of the following requirements:

1. The child's income does not exceed 185% of the poverty line, except as provided in par. (at) and except that a child that is already receiving health care coverage under this section may have an income that does not exceed 200% of the poverty line. The department shall use the criteria established under par. (a) 1. to determine income under this subdivision.

2. The child does not have access to employer–subsidized health care coverage.

3. The child has not had access to employer–subsidized health care coverage within the time period established by the department under par. (a) 3. The department may establish exceptions to this subdivision.

4. The child meets all other requirements established by the department by rule. In establishing other eligibility criteria, the department may not include any health condition requirements.

**SECTION 1472.** 49.665 (4) (at) of the statutes is created to read:

49.665 **(4)** (at) 1. a. Except as provided in subd. 1. b., the department shall establish a lower maximum income level for the initial eligibility determination if funding under s. 20.435 (4) (bc), (jz) and (p) is insufficient to accommodate the projected enrollment levels for the health care program under this section. The adjustment may not be greater than necessary to ensure sufficient funding.

b. The department may not lower the maximum income level for initial eligibility unless the department first submits to the joint committee on finance its plans for lowering the maximum income level and the committee approves the plan. If, within 14 days after submitting the plan to the joint committee on finance, the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan is considered approved by the committee.

2. If, after the department has established a lower maximum income level under subd. 1., projections indicate that funding under s. 20.435 (4) (bc), (jz) and (p) is sufficient to raise the level, the department shall, by state plan amendment, raise the maximum income level for initial eligibility, but not to exceed 185% of the poverty line.

3. The department may not adjust the maximum income level of 200% of the poverty line for persons already receiving health care coverage under this section.

**SECTION 1473.** 49.665 (4) (b) of the statutes is amended to read:

49.665 **(4)** (b) Notwithstanding fulfillment of the eligibility requirements under this subsection, ~~a family~~ no person is ~~not~~ entitled to health care coverage under this section.

**SECTION 1474.** 49.665 (4) (c) of the statutes is amended to read:

49.665 **(4)** (c) No ~~family~~ person may be denied health care coverage under this section solely because of a health condition of that person or of any family member of that person.

**SECTION 1475.** 49.665 (5) (a) of the statutes is amended to read:

49.665 **(5)** (a) Except as provided in ~~par.~~ pars. (b) and (bm), a family ~~that~~, or child who does not reside with his or her parent, who receives health care coverage under this section shall pay a percentage of the cost of that coverage in accordance with a schedule established by the department by rule. If the schedule established by the department requires a family, or child who does not reside with his or her parent, to contribute more than 3% of the family's or child's income towards the cost of the health care coverage provided under this section, the department shall submit the schedule to the joint committee on finance for review and approval of the schedule. If the cochairpersons of the joint committee on finance do not notify the department within 14 working days after the date of the department's submittal of the schedule that the committee has scheduled a meeting to review the schedule, the department may implement the schedule. If, within 14 days after the date of the department's submittal of the schedule, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the schedule, the department may not require a family, or child who does not reside with his or her parent, to contribute more than 3% of the family's or child's income unless the joint committee on finance approves the schedule. The joint committee on finance may not approve and the department may not implement a schedule that requires a family or child to contribute more than 3.5% of the family's or child's income towards the cost of the health care coverage provided under this section.

**SECTION 1476.** 49.665 (5) (b) of the statutes is amended to read:

49.665 **(5)** (b) The department may not require a family, or child who does not reside with his or her parent, with an income below ~~143%~~ 150% of the poverty line to contribute to the cost of health care coverage provided under this section.

**SECTION 1476d.** 49.665 (5) (bm) of the statutes is created to read:

49.665 **(5)** (bm) If the federal department of health and human services notifies the department of health and family services that Native Americans may not be required to contribute to the cost of the health care coverage provided under this section, the department of health and family services may not require Native Americans to contribute to the cost of health care coverage under this section.

**SECTION 1476f.** 49.665 (5m) of the statutes is created to read:

49.665 **(5m)** OUTREACH. The department shall coordinate with the department of public instruction to develop, and beginning on October 1, 1999, to implement, an outreach mailing targeted at families of children who are enrolled in the federal school lunch program under 42 USC 1751, et seq., to inform the families of those children about health care coverage under this section and the family's potential eligibility for that coverage.

**SECTION 1477.** 49.682 (2) (c) (intro.) of the statutes is amended to read:

49.682 **(2)** (c) (intro.) The court shall reduce the amount of a claim under par. (a) by up to ~~$3,000~~ the amount specified in s. 861.33 (2) if necessary to allow the client's heirs or the beneficiaries of the client's will to retain the following personal property:

**SECTION 1478.** 49.682 (2) (c) 3. of the statutes is amended to read:

49.682 **(2)** (c) 3. Other tangible personal property not used in trade, agriculture or other business, not to exceed ~~$1,000~~ in value the amount specified in s. 861.33 (1) (a) 4.

**SECTION 1479.** 49.682 (2) (e) of the statutes is renumbered 49.682 (2) (e) 1. and amended to read:

49.682 **(2)** (e) 1. If the department's claim is not allowable because of par. (d) and the estate includes an interest in a home, the court exercising probate jurisdiction shall, in the final judgment or summary findings and order, assign the interest in the home subject to a lien in favor of the department for the amount described in par. (a). The personal representative or petitioner for summary settlement or summary assignment of the estate shall record the final judgment as provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

**SECTION 1480.** 49.682 (2) (e) 2. of the statutes is created to read:

49.682 **(2)** (e) 2. If the department's claim is not allowable because of par. (d), the estate includes an interest in a home and the personal representative closes the estate by sworn statement under s. 865.16, the personal representative shall stipulate in the statement that the home is assigned subject to a lien in favor of the department for the amount described in par. (a). The personal representative shall record the statement in the same manner as described in s. 863.29, as if the statement were a final judgment.

**SECTION 1481.** 49.682 (6) of the statutes is created to read:

49.682 **(6)** The department may contract with or employ an attorney to probate estates to recover under this section the costs of care.

**SECTION 1482.** 49.683 (2) of the statutes is amended to read:

49.683 **(2)** Approved costs for medical care under sub. (1) shall be paid from the appropriation under s. 20.435 ~~(5)~~ (4) (e).

**SECTION 1483.** 49.687 (2) of the statutes is amended to read:

49.687 **(2)** The department shall develop and implement a sliding scale of patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s. 49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to pay for treatment. To ensure that the needs for treatment of patients with lower incomes receive priority within the availability of funds under s. 20.435 ~~(5)~~ (4) (e), the department shall revise the sliding scale for patient liability by January 1, 1994, and shall, every 3 years thereafter by January 1, review and, if necessary, revise the sliding scale.

**SECTION 1484.** 49.775 (4) of the statutes is amended to read:

49.775 **(4)** PAYMENT AMOUNT. The payment under sub. (2) is ~~$100~~ $250 per month ~~per~~ for one dependent child and $150 per month for each additional dependent child.

**SECTION 1486j.** 49.854 (2) (e) of the statutes is created to read:

49.854 **(2)** (e) *Date that support lien docket is operational.* The department shall publish a notice in the Wisconsin Administrative Register that states the date on which the statewide support lien docket is first operational. The department shall publish the notice stating the date as soon as possible after the statewide support lien docket begins operating or, if the department is able to determine with certainty the date on which the statewide support lien docket will begin operating, as soon as possible after the department determines that date.

**SECTION 1486k.** 49.854 (2) (e) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 1487.** 49.855 (7) of the statutes is repealed.

**SECTION 1489.** 49.89 (2) of the statutes is amended to read:

49.89 **(2)** SUBROGATION. The department of health and family services, the department of workforce development, a county or an elected tribal governing body that provides any public assistance under this chapter or under s. 253.05 as a result of the occurrence of an injury, sickness or death that creates a claim or cause of action, whether in tort or contract, on the part of a public assistance recipient or beneficiary or the estate of a recipient or beneficiary against a 3rd party, including an insurer, is subrogated to the rights of the recipient, beneficiary or estate and may make a claim or maintain an action or intervene in a claim or action by the recipient, beneficiary or estate against the 3rd party. Subrogation under this subsection because of the provision of medical assistance under subch. IV constitutes a lien, equal to the amount of the medical assistance provided as a result of the injury, sickness or death that gave rise to the claim. The lien is on any payment resulting from a judgment or settlement that may be due the obligor. A lien under this subsection continues until it is released and discharged by the department of health and family services.

**SECTION 1490.** 49.89 (3m) (bm) of the statutes is created to read:

49.89 **(3m)** (bm) A person against whom a claim that is subrogated under sub. (2) or assigned under sub. (3) is made, or that person's attorney or insurer, shall provide notice under par. (c), if that person, attorney or insurer knows, or could reasonably determine, that the claimant is a recipient or former recipient of medical assistance under subch. IV, or is the estate of a former recipient of medical assistance under subch. IV.

**SECTION 1491.** 49.89 (7) (c) of the statutes is amended to read:

49.89 **(7)** (c) The incentive payment shall be an amount equal to 15% of the amount recovered because of benefits paid under s. 49.19, ~~49.20,~~ s. 49.20, 1997 stats.,

and 49.30 or 253.05. The incentive payment shall be taken from the state share of the sum recovered, except that the incentive payment for an amount recovered because of benefits paid under s. 49.19 shall be considered an administrative cost under s. 49.19 for the purpose of claiming federal funding.

**SECTION 1493.** 50.02 (2) (d) of the statutes is created to read:

50.02 **(2)** (d) The department shall promulgate rules that prescribe the time periods and the methods of providing information specified in ss. 50.033 (2r) and (2s), 50.034 (5m) and (5n), 50.035 (4m) and (4n) and 50.04 (2g) (a) and (2h) (a).

**SECTION 1495.** 50.033 (2) of the statutes is amended to read:

50.033 **(2)** REGULATION. Standards for operation of licensed adult family homes and procedures for application for licensure, monitoring, inspection, revocation and appeal of revocation under this section shall be under rules promulgated by the department under s. 50.02 (2) (am) 2. An adult family home licensure is valid until revoked under this section. Licensure is not transferable. The biennial licensure fee for a licensed adult family home is ~~$75~~ $135. The fee is payable to the county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, if the county department licenses the adult family home under sub. (1m) (b), and is payable to the department, on a schedule determined by the department if the department licenses the adult family home under sub. (1m) (b).

**SECTION 1496.** 50.033 (2r) of the statutes is created to read:

50.033 **(2r)** PROVISION OF INFORMATION REQUIRED. Subject to sub. (2t), an adult family home shall, within the time period after inquiry by a prospective resident that is prescribed by the department by rule, inform the prospective resident of the services of a resource center under s. 46.283, the family care benefit under s. 46.286

and the availability of a functional and financial screen to determine the prospective resident's eligibility for the family care benefit under s. 46.286 (1).

**SECTION 1497.** 50.033 (2s) of the statutes is created to read:

50.033 **(2s)** REQUIRED REFERRAL. Subject to sub. (2t), an adult family home shall, within the time period prescribed by the department by rule, refer to a resource center under s. 46.283 a person who is seeking admission, who is at least 65 years of age or has a physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

(a) The person has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months.

(b) The person is entering the adult family home only for respite care.

(c) The person is an enrollee of a care management organization.

**SECTION 1498.** 50.033 (2t) of the statutes is created to read:

50.033 **(2t)** APPLICABILITY. Subsections (2r) and (2s) apply only if the secretary has certified under s. 46.281 (3) that a resource center is available for the adult family home and for specified groups of eligible individuals that include those persons seeking admission to or the residents of the adult family home.

**SECTION 1499.** 50.034 (5m) of the statutes is created to read:

50.034 **(5m)** PROVISION OF INFORMATION REQUIRED. Subject to sub. (5p), a residential care apartment complex shall, within the time period after inquiry by a prospective resident that is prescribed by the department by rule, inform the prospective resident of the services of a resource center under s. 46.283, the family care benefit under s. 46.286 and the availability of a functional and financial screen to determine the prospective resident's eligibility for the family care benefit under s. 46.286 (1).

**SECTION 1500.** 50.034 (5n) of the statutes is created to read:

50.034 **(5n)** REQUIRED REFERRAL. Subject to sub. (5p), a residential care apartment complex shall, within the time period prescribed by the department by rule, refer to a resource center under s. 46.283 a person who is seeking admission, who is at least 65 years of age or has a physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

(a) The person has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months.

(b) The person is entering the residential care apartment complex only for respite care.

(c) The person is an enrollee of a care management organization.

**SECTION 1501.** 50.034 (5p) of the statutes is created to read:

50.034 **(5p)** APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary has certified under s. 46.281 (3) that a resource center is available for the residential care apartment complex and for specified groups of eligible individuals that include those person seeking admission to or the residents of the residential care apartment complex.

**SECTION 1501d.** 50.034 (6) of the statutes is amended to read:

50.034 **(6)** FUNDING. Funding for supportive, personal or nursing services that a person who resides in a residential care apartment complex receives, other than private or 3rd–party funding, may be provided only under s. 46.27 (11) (c) 7. or 46.277 (5) (e), ~~unless~~ <u>except if</u> the provider of the services is a certified medical assistance provider under s. 49.45 <u>or if the funding is provided as a family care benefit under ss. 46.2805 to 46.2895</u>.

**SECTION 1502.** 50.034 (8) of the statutes is created to read:

50.034 **(8)** FORFEITURES. (a) Whoever violates sub. (5m) or (5n) or rules promulgated under sub. (5m) or (5n) may be required to forfeit not more than $500 for each violation.

(b) The department may directly assess forfeitures provided for under par. (a). If the department determines that a forfeiture should be assessed for a particular violation, it shall send a notice of assessment to the residential care apartment complex. The notice shall specify the amount of the forfeiture assessed, the violation and the statute or rule alleged to have been violated, and shall inform the residential care apartment complex of the right to a hearing under par. (c).

(c) A residential care apartment complex may contest an assessment of a forfeiture by sending, within 10 days after receipt of notice under par. (b), a written request for a hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days after receipt of the request for a hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

(d) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days after receipt of the final decision after exhaustion of administrative review, unless

the final decision is appealed and the order is stayed by court order. The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

(e) The attorney general may bring an action in the name of the state to collect any forfeiture imposed under this section if the forfeiture has not been paid following the exhaustion of all administrative and judicial reviews. The only issue to be contested in any such action shall be whether the forfeiture has been paid.

**SECTION 1503.** 50.035 (4m) of the statutes is created to read:

50.035 **(4m)** PROVISION OF INFORMATION REQUIRED. Subject to sub. (4p), a community–based residential facility shall, within the time period after inquiry by a prospective resident that is prescribed by the department by rule, inform the prospective resident of the services of a resource center under s. 46.283, the family care benefit under s. 46.286 and the availability of a functional and financial screen to determine the prospective resident's eligibility for the family care benefit under s. 46.286 (1).

**SECTION 1504.** 50.035 (4n) of the statutes is created to read:

50.035 **(4n)** REQUIRED REFERRAL. Subject to sub. (4p), a community–based residential facility shall, within the time period prescribed by the department by rule, refer to a resource center under s. 46.283 a person who is seeking admission, who is at least 65 years of age or has a physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

(a) The person has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months.

(b) The person is entering the community–based residential facility only for respite care.

(c) The person is an enrollee of a care management organization.

**SECTION 1505.** 50.035 (4p) of the statutes is created to read:

50.035 **(4p)** APPLICABILITY. Subsections (4m) and (4n) apply only if the secretary has certified under s. 46.281 (3) that a resource center is available for the community–based residential facility and for specified groups of eligible individuals that include those persons seeking admission to or the residents of the community–based residential facility.

**SECTION 1506.** 50.035 (7) (c) of the statutes is amended to read:

50.035 **(7)** (c) If the date estimated under par. (a) 2. is less than 24 months after the date of the individual's statement of financial condition, the community–based residential facility shall provide the statement to the county department under s. 46.215 or 46.22 <u>and shall refer the potential resident to the county department to determine whether an assessment under s. 46.27 (6) should be conducted</u>.

**SECTION 1507.** 50.035 (8) of the statutes is repealed.

**SECTION 1508.** 50.035 (11) of the statutes is created to read:

50.035 **(11)** FORFEITURES. (a) Whoever violates sub. (4m) or (4n) or rules promulgated under sub. (4m) or (4n) may be required to forfeit not more than $500 for each violation.

(b) The department may directly assess forfeitures provided for under par. (a). If the department determines that a forfeiture should be assessed for a particular violation, it shall send a notice of assessment to the community–based residential facility. The notice shall specify the amount of the forfeiture assessed, the violation and the statute or rule alleged to have been violated, and shall inform the licensee of the right to a hearing under par. (c).

(c) A community–based residential facility may contest an assessment of a forfeiture by sending, within 10 days after receipt of notice under par. (b), a written

request for a hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days after receipt of the request for a hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

(d) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order. The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

(e) The attorney general may bring an action in the name of the state to collect any forfeiture imposed under this section if the forfeiture has not been paid following the exhaustion of all administrative and judicial reviews. The only issue to be contested in any such action shall be whether the forfeiture has been paid.

**SECTION 1509.** 50.037 (2) (a) of the statutes is amended to read:

50.037 **(2)** (a) The biennial fee for a community–based residential facility is ~~$170~~ $306, plus a biennial fee of ~~$22~~ $39.60 per resident, based on the number of residents that the facility is licensed to serve.

**SECTION 1510.** 50.04 (2g) of the statutes is created to read:

50.04 **(2g)** PROVISION OF INFORMATION REQUIRED. (a) Subject to sub. (2i), a nursing home shall, within the time period after inquiry by a prospective resident that is prescribed by the department by rule, inform the prospective resident of the services of a resource center under s. 46.283, the family care benefit under s. 46.286 and the availability of a functional and financial screen to determine the prospective resident's eligibility for the family care benefit under s. 46.286 (1).

(b) Failure to comply with this subsection is a class "C" violation under sub. (4) (b) 3.

**SECTION 1511.** 50.04 (2h) of the statutes is created to read:

50.04 **(2h)** REQUIRED REFERRAL. (a) Subject to sub. (2i), a nursing home shall, within the time period prescribed by the department by rule, refer to a resource center under s. 46.283 a person who is seeking admission, who is at least 65 years of age or has developmental disability or physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

1. The person has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months.

2. The person is seeking admission to the nursing home only for respite care.

3. The person is an enrollee of a care management organization.

(b) Failure to comply with this subsection is a class "C" violation under sub. (4) (b) 3.

**SECTION 1512.** 50.04 (2i) of the statutes is created to read:

50.04 **(2i)** APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary has certified under s. 46.281 (3) that a resource center is available for the nursing home and for specified groups of eligible individuals that include those persons seeking admission to or the residents of the nursing home.

**SECTION 1513.** 50.04 (2m) of the statutes is renumbered 50.04 (2m) (a) and amended to read:

50.04 **(2m)** (a) ~~No~~ Except as provided in par. (b), no nursing home may admit any patient until a physician has completed a plan of care for the patient and the patient is assessed or the patient is exempt from or waives assessment under s. 46.27 (6) (a) ~~or 46.271 (2m) (a) 2~~. Failure to comply with this subsection is a class "C" violation under sub. (4) (b) 3.

**SECTION 1514.** 50.04 (2m) (b) of the statutes is created to read:

50.04 **(2m)** (b) Paragraph (a) does not apply to those residents for whom the secretary has certified under s. 46.281 (3) that a resource center is available.

**SECTION 1515.** 50.06 (7) of the statutes is amended to read:

50.06 **(7)** An individual who consents to an admission under this section may request that an assessment be conducted for the incapacitated individual under the long–term support community options program under s. 46.27 (6) or, if the secretary has certified under s. 46.281 (3) that a resource center is available for the individual, a functional and financial screen to determine eligibility for the family care benefit under s. 46.286 (1).

**SECTION 1522.** 50.065 (8) of the statutes is amended to read:

50.065 **(8)** The department may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a) or for providing information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b). The fee may not exceed the reasonable cost of obtaining the information. No fee may be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining the information if to do so would be inconsistent with federal law.

**SECTION 1524.** 50.135 (2) (c) of the statutes is amended to read:

50.135 **(2)** (c) The fees collected under par. (a) shall be credited to the appropriations under s. 20.435 ~~(1)~~ (4) (gm) and (6) (jm) as specified in those appropriations for licensing, review and certifying activities.

**SECTION 1525.** 50.36 (2) (c) of the statutes is created to read:

50.36 **(2)** (c) The department shall promulgate rules that require that a hospital, before discharging a patient who is aged 65 or older or who has developmental disability or physical disability and whose disability or condition requires long–term care that is expected to last at least 90 days, refer the patient to the resource center under s. 46.283. The rules shall specify that this requirement applies only if the secretary has certified under s. 46.281 (3) that a resource center is available for the hospital and for specified groups of eligible individuals that include persons seeking admission to or patients of the hospital.

**SECTION 1526.** 50.38 of the statutes is created to read:

**50.38 Forfeitures. (1)** Whoever violates rules promulgated under s. 50.36 (2) (c) may be required to forfeit not more than $500 for each violation.

**(2)** The department may directly assess forfeitures provided for under sub. (1). If the department determines that a forfeiture should be assessed for a particular violation, the department shall send a notice of assessment to the hospital. The notice shall specify the amount of the forfeiture assessed, the violation and the statute or rule alleged to have been violated, and shall inform the hospital of the right to a hearing under sub. (3).

**(3)** A hospital may contest an assessment of a forfeiture by sending, within 10 days after receipt of notice under sub. (2), a written request for a hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the

case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days after receipt of the request for a hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

**(4)** All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under sub. (3), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order. The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

**(5)** The attorney general may bring an action in the name of the state to collect any forfeiture imposed under this section if the forfeiture has not been paid following the exhaustion of all administrative and judicial reviews. The only issue to be contested in any such action shall be whether the forfeiture has been paid.

**SECTION 1529.** 50.49 (2) (b) of the statutes is amended to read:

50.49 **(2)** (b) The department shall, by rule, set a license fee to be paid by home health agencies. ~~The fee shall be based on the annual net income, as determined by the department, of a home health agency.~~

**SECTION 1530.** 50.49 (4) of the statutes is amended to read:

50.49 **(4)** LICENSING, INSPECTION AND REGULATION. ~~The~~ Except as provided in sub. (6m), the department may register, license, inspect and regulate home health agencies as provided in this section. The department shall ensure, in its inspections of home health agencies, that a sampling of records from private pay patients are

reviewed. The department shall select the patients who shall receive home visits as a part of the inspection. Results of the inspections shall be made available to the public at each of the regional offices of the department.

**SECTION 1531.** 50.49 (6m) of the statutes is created to read:

50.49 **(6m)** EXCEPTIONS. None of the following is required to be licensed as a home health agency under sub. (4), regardless of whether any of the following provides services that are similar to services provided by a home health agency:

(a) A care management organization, as defined in s. 46.2805 (1).

(b) A program specified in s. 46.2805 (1) (a).

(c) A demonstration program specified in s. 46.2805 (1) (b).

**SECTION 1535.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

**SECTION 1536.** 51.03 (1g) of the statutes is created to read:

51.03 **(1g)** In this section:

(a) "Early intervention" means action to hinder or alter a person's mental disorder or abuse of alcohol or other drugs in order to reduce the duration of early symptoms or to reduce the duration or severity of mental illness or alcohol or other drug abuse that may result.

(b) "Individualized service planning" means a process under which a person with mental illness or who abuses alcohol or other drugs and, if a child, his or her family, receives information, education and skills to enable the person to participate mutually and creatively with his or her mental health or alcohol or other drug abuse service provider in identifying his or her personal goals and developing his or her assessment, crisis protocol, treatment and treatment plan. "Individualized service planning" is tailored to the person and is based on his or her strengths, abilities and needs.

(c) "Prevention" means action to reduce the instance, delay the onset or lessen the severity of mental disorder, before the disorders may progress to mental illness, by reducing risk factors for, enhancing protections against and promptly treating early warning signs of mental disorder.

(d) "Recovery" means the process of a person's growth and improvement, despite a history of mental illness or alcohol or other drug abuse, in attitudes, feelings, values, goals, skills and behavior and is measured by a decrease in dysfunctional symptoms and an increase in maintaining the person's highest level of health, wellness, stability, self–determination and self–sufficiency.

(e) "Stigma" means disqualification from social acceptance, derogation, marginalization and ostracism encountered by persons with mental illness or persons who abuse alcohol or other drugs as the result of societal negative attitudes, feelings, perceptions, representations and acts of discrimination.

**SECTION 1537.** 51.03 (4) of the statutes is created to read:

51.03 **(4)** Within the limits of available state and federal funds, the department may do all of the following:

(a) Promote the creation of coalitions among the state, counties, providers of mental health and alcohol and other drug abuse services, consumers of the services and their families and advocates for persons with mental illness and for alcoholic and drug dependent persons to develop, coordinate and provide a full range of resources to advance prevention; early intervention; treatment; recovery; safe and affordable housing; opportunities for education, employment and recreation; family and peer support; self–help; and the safety and well–being of communities.

(b) In cooperation with counties, providers of mental health and alcohol and other drug abuse services, consumers of the services, interested community

members and advocates for persons with mental illness and for alcoholic and drug dependent persons, develop and implement a comprehensive strategy to reduce stigma of and discrimination against persons with mental illness, alcoholics and drug dependent persons.

(c) Develop and implement a comprehensive strategy to involve counties, providers of mental health and alcohol and other drug abuse services, consumers of the services and their families, interested community members and advocates for persons with mental illness and for alcoholic and drug dependent persons as equal participants in service system planning and delivery.

(d) Promote responsible stewardship of human and fiscal resources in the provision of mental health and alcohol and other drug abuse services.

(e) Develop and implement methods to identify and measure outcomes for consumers of mental health and alcohol and other drug abuse services.

(f) Promote access to appropriate mental health and alcohol and other drug abuse services regardless of a person's geographic location, age, degree of mental illness, alcoholism or drug dependency or availability of personal financial resources.

(g) Promote consumer decision making to enable persons with mental illness and alcohol or drug dependency to be more self–sufficient.

(h) Promote use by providers of mental health and alcohol and other drug abuse services of individualized service planning, under which the providers develop written individualized service plans that promote treatment and recovery, together with service consumers, families of service consumers who are children and advocates chosen by consumers.

**SECTION 1538.** 51.03 (5) of the statutes is created to read:

51.03 **(5)** The department shall ensure that providers of mental health and alcohol and other drug abuse services who use individualized service plans, as specified in sub. (4) (h), do all of the following in using a plan:

(a) Establish meaningful and measurable goals for the consumer.

(b) Base the plan on a comprehensive assessment of the consumer's strengths, abilities, needs and preferences.

(c) Keep the plan current.

(d) Modify the plan as necessary.

**SECTION 1540.** 51.06 (1) (d) of the statutes is amended to read:

51.06 **(1)** (d) ~~At the southern center for developmentally disabled, services~~ Services for up to ~~10~~ 36 individuals with developmental disability who are also diagnosed as mentally ill or who exhibit extremely aggressive and challenging behaviors ~~and at the northern center for developmentally disabled, services for up to 12 such individuals~~.

**SECTION 1541.** 51.07 (3) of the statutes is amended to read:

51.07 **(3)** The department may provide outpatient services only to patients contracted for with county departments under ss. 51.42 and 51.437 in accordance with s. 46.03 (18), except for those patients whom the department finds to be nonresidents of this state and ~~those patients specified in sub. (4) (a)~~ persons receiving services under contracts under s. 46.043. The full and actual cost less applicable collections of services contracted for with county departments under s. 51.42 or 51.437 shall be charged to the respective county department under s. 51.42 or 51.437. The state shall provide the services required for patient care only if no outpatient services are funded by the department in the county or group of counties served by the respective county department under s. 51.42 or 51.437.

**SECTION 1542.** 51.07 (4) of the statutes is repealed.

**SECTION 1562.** 51.42 (3) (ar) 17. of the statutes is created to read:

51.42 **(3)** (ar) 17. If authorized under s. 46.283 (1) (a) 1., apply to the department of health and family services to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate the resource center.

**SECTION 1563.** 51.42 (3) (ar) 18. of the statutes is created to read:

51.42 **(3)** (ar) 18. If authorized under s. 46.284 (1) (a) 1., apply to the department of health and family services to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), operate the care management organization and, if appropriate, place funds in a risk reserve.

**SECTION 1564.** 51.42 (3) (as) 3. of the statutes is amended to read:

51.42 **(3)** (as) 3. Care, services and supplies provided after December 31, 1973, to any person who, on December 31, 1973, was in or under the supervision of a mental health institute, or was receiving mental health services in a facility authorized by s. 51.08 or 51.09, but was not admitted to a mental health institute by the department of health and family services, shall be charged to the county department of community programs which was responsible for such care and services at the place where the patient resided when admitted to the institution. The department of health and family services ~~shall~~ may bill county departments of community programs for care provided at the mental health institutes at rates which ~~reflects the estimated per diem cost of specific levels of care, to be adjusted periodically by~~ the department of health and family services sets on a flexible basis, except that this flexible rate structure shall cover the cost of operations of the mental health institutes.

**SECTION 1565.** 51.42 (3) (aw) 1. d. of the statutes is amended to read:

51.42 **(3)** (aw) 1. d. Provide treatment and services that are specified in a conditional release plan approved by a court for a person who is a county resident and is conditionally released under s. 971.17 (3) or (4) or that are specified in a supervised release plan approved by a court under s. 980.06 (2) (c), 1997 stats., or s. 980.08 (5). If the county department provides treatment and services under this subdivision, the department of health and family services shall, from the appropriation under s. 20.435 (2) (bj), pay the county department for the costs of the treatment and services.

**SECTION 1566.** 51.42 (3) (e) of the statutes is amended to read:

51.42 **(3)** (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of a county department of community programs acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of community programs, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of community programs or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of community programs to coordinate the delivery of services to the client.

**SECTION 1568.** 51.423 (2) of the statutes is amended to read:

51.423 **(2)** From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute the funding for services provided or purchased by county departments under s. 46.23, 51.42 or 51.437 to such county departments

as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2) and (9) (b). Each county's required match for the distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions under s. 46.40 (2) for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency–related services from its distribution for 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the counties that meet the requirements specified in sub. (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

**SECTION 1570.** 51.437 (4m) (n) of the statutes is created to read:

51.437 **(4m)** (n) If authorized under s. 46.283 (1) (a) 1., apply to the department of health and family services to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate the resource center.

**SECTION 1571.** 51.437 (4m) (p) of the statutes is created to read:

51.437 **(4m)** (p) If authorized under s. 46.284 (1) (a) 1., apply to the department of health and family services to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), operate the care management organization and, if appropriate, place funds in a risk reserve.

**SECTION 1572.** 51.437 (4r) (b) of the statutes is amended to read:

51.437 **(4r)** (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of the county department of developmental disabilities services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of developmental disabilities services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of developmental disabilities services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of developmental disabilities services to coordinate the delivery of services to the client.

**SECTION 1573.** 51.45 (5) of the statutes is repealed.

**SECTION 1575t.** 59.23 (2) (i) of the statutes is repealed.

**SECTION 1576.** 59.25 (3) (f) 2. of the statutes is amended to read:

59.25 **(3)** (f) 2. For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. ~~165.87~~ 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for the crime laboratories and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 938.34 (8d) for the delinquency victim and witness assistance surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for the drug abuse program improvement surcharge, the

amounts required by s. 100.261 for the consumer information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment under the supplemental food program for women, infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the environmental assessment, the amounts required by s. 29.983 for the wild animal protection assessment, the amounts required by s. 29.987 for the natural resources assessment surcharge, the amounts required by s. 29.985 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment and the amounts required by s. 29.989 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions entered during the preceding month on or before the first day of the next succeeding month, certified by the county treasurer's personal signature affixed or attached thereto, and at the same time pay to the state treasurer the amount thereof.

**SECTION 1577.** 59.40 (2) (m) of the statutes is amended to read:

59.40 **(2)** (m) Pay monthly to the treasurer for the use of the state the state's percentage of the fees required to be paid on each civil action, criminal action and special proceeding filed during the preceding month and pay monthly to the treasurer for the use of the state the percentage of court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. ~~165.87 (2) (b)~~ 757.05 for the penalty assessment surcharge, the amounts required by

s. 165.755 for the crime laboratories and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 938.34 (8d) for the delinquency victim and witness assistance surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts required by s. 100.261 for the consumer information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4) (c) for the enforcement assessment under the supplemental food program for women, infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the environmental assessment, the amounts required under s. 29.983 for the wild animal protection assessment, the amounts required under s. 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required by s. 29.985 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment and the amounts required under s. 29.989 (1) (d) for the natural resources restitution payments. The payments shall be made by the 15th day of the month following receipt thereof.

**SECTION 1578.** 59.69 (3) (a) of the statutes is amended to read:

59.69 **(3)** (a) The county zoning agency shall direct the preparation of a county development plan or parts thereof for the physical development of the unincorporated territory within the county and areas within incorporated

jurisdictions whose governing bodies by resolution agree to having their areas included in the county's development plan. The plan may be adopted in whole or in part and may be amended by the board and endorsed by the governing bodies of incorporated jurisdictions included in the plan. The county development plan, in whole or in part, in its original form or as amended, is hereafter referred to as the development plan. <u>The development plan shall contain at least the elements described in s. 66.0295.</u>

**SECTION 1579.** 59.69 (3) (b) of the statutes is repealed and recreated to read:

59.69 **(3)** (b) The development plan shall include the master plan, if any, of any city or village, which was adopted under s. 62.23 (2) or (3) and the official map, if any, of such city or village, which was adopted under s. 62.23 (6) in the county, without change.

**SECTION 1579n.** 59.692 (1) (bn) of the statutes is created to read:

59.692 **(1)** (bn) "Shoreland setback area" means an area in a shoreland that is within a certain distance of the ordinary high–water mark in which the construction or placement of buildings or structures has been limited or prohibited under an ordinance enacted under this section.

**SECTION 1579p.** 59.692 (1) (d) of the statutes is created to read:

59.692 **(1)** (d) "Special zoning permission" has the meaning given in s. 59.69 (15) (g).

**SECTION 1579r.** 59.692 (1v) of the statutes is created to read:

59.692 **(1v)** A county shall grant special zoning permission for the construction or placement of a structure on property in a shoreland setback area if all of the following apply:

(a) The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary high–water mark.

(b) The total floor area of all of the structures in the shoreland setback area of the property will not exceed 200 square feet. In calculating this square footage, boathouses shall be excluded.

(c) The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.

(d) The county must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area that is nearest to the water.

**SECTION 1580g.** 59.694 (7) (c) of the statutes is amended to read:

59.694 **(7)** (c) To authorize upon appeal in specific cases variances from the terms of the ordinance that will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done. <u>Except in cases where a property owner requests a variance from an ordinance enacted under s. 59.692, or adopted or reinstated by the department of natural resources under s. 59.692 (7), or a conservancy zoning ordinance, a property owner may establish "unnecessary hardship", as that term is used in this paragraph, by demonstrating that strict compliance with an area zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome.</u>

**SECTION 1582s.** 60.62 (4) (a) of the statutes is amended to read:

60.62 **(4)** (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a population of less than 2,500 that acts under this section may create a "Town Plan Commission" under s. 62.23 (1) (a) that has 5 members, ~~consisting of the town chairperson, who shall be its presiding officer, the town engineer, the president of the park board, another member of the town board and one citizen. If the town plan commission has only 5 members and the town has no engineer or park board, an additional citizen member shall be appointed so that the commission has at all times 5 members~~ all of whom shall be appointed by the town board chairperson, who shall also select the presiding officer. The town board chairperson may appoint himself or herself to the commission and may appoint other town elected or appointed officials to the commission, except that the commission shall always have at least one citizen member who is not a town official. All other provisions of ss. 61.35 and 62.23 shall apply to a town plan commission that has 5 members.

**SECTION 1582t.** 60.62 (4) (b) of the statutes is amended to read:

60.62 **(4)** (b) If a town plan commission consists of 7 members and the town board enacts an ordinance or adopts a resolution reducing the size of the commission to 5 members, the commission shall continue to operate with 6 or 7 members until the expiration of the terms of the 2 citizen members, who were appointed under s. 62.23 (1) ~~(c)~~ (a), whose terms expire soonest after the effective date of the ordinance or resolution that reduces the size of the commission.

**SECTION 1582u.** 60.62 (4) (c) of the statutes is amended to read:

60.62 **(4)** (c) If a town plan commission consists of 5 members and the town board enacts an ordinance or adopts a resolution increasing the size of the commission to 7 members, the town board chairperson shall appoint the 2 new members under s. 62.23 (1) ~~(c)~~ (a).

**SECTION 1589s.** 62.23 (1) (a) of the statutes is amended to read:

62.23 **(1)** (a) The council of any city may by ordinance create a "City Plan Commission," to consist of ~~the mayor, who shall be its presiding officer, the city engineer, the president of the park board, an alderperson, and 3 citizens. In case the city has no engineer or no park board, an additional citizen member shall be appointed so that the board has at all times~~ 7 members. All members of the commission shall be appointed by the mayor, who shall also choose the presiding officer. The mayor may appoint himself or herself to the commission and may appoint other city elected or appointed officials, except that the commission shall always have at least 3 citizen members who are not city officials. Citizen members shall be persons of recognized experience and qualifications. The council may by ordinance provide that the membership of the commission shall be as provided thereunder.

**SECTION 1589t.** 62.23 (1) (b) of the statutes is repealed.

**SECTION 1589u.** 62.23 (1) (c) of the statutes is repealed.

**SECTION 1589v.** 62.23 (1) (d) of the statutes is amended to read:

62.23 **(1)** (d) The ~~additional citizen~~ members~~, if any,~~ of the commission shall be ~~first~~ appointed to hold office for a period ~~ending one year from the succeeding May first, and thereafter annually~~ of 3 years. Appointments shall be made by the mayor during the month of April~~. Whenever a park board is created, or a city engineer appointed, the president of such board or such engineer shall succeed to a place on the commission when the term of an additional citizen member expires~~ for terms that expire in April or at any other time if a vacancy occurs during the middle of a term.

**SECTION 1590.** 62.23 (2) of the statutes is amended to read:

62.23 **(2)** FUNCTIONS. It shall be the function and duty of the commission to make and adopt a master plan for the physical development of the city, including any areas outside of its boundaries which in the commission's judgment bear relation to the development of the city provided, however, that in any county where a regional planning department has been established, areas outside the boundaries of a city may not be included in the master plan without the consent of the county board of supervisors. The master plan, with the accompanying maps, plats, charts and descriptive and explanatory matter, shall show the commission's recommendations for such physical development, and ~~may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, bridges, viaducts, parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, airports, pierhead and bulkhead lines, waterways, routes for railroads and buses, historic districts, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, the general character, extent and layout of the replanning of blighted districts and slum areas, and a comprehensive zoning plan~~ shall contain at least the elements described in s. 66.0295. The commission may from time to time amend, extend or add to the master plan or carry any part or subject matter into greater detail. The commission may adopt rules for the transaction of business and shall keep a record

of its resolutions, transactions, findings and determinations, which record shall be a public record.

**SECTION 1591.** 62.23 (3) (b) of the statutes is amended to read:

62.23 **(3)** (b) The commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond ~~generally~~ with one or more of the ~~functional subdivisions of the subject matter of the plan~~ elements specified in s. 66.0295. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the city plan commission. The resolution shall refer expressly to the ~~maps, descriptive matter,~~ elements under s. 66.0295 and other matters intended by the commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the commission, and a copy of the plan or part thereof shall be certified to the common council. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the city plan commission and the council in the performance of their duties.

**SECTION 1591g.** 62.23 (7) (e) 7. of the statutes is amended to read:

62.23 **(7)** (e) 7. The board of appeals shall have the following powers: To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this section or of any ordinance adopted pursuant thereto; to hear and decide special exception to the terms of the ordinance upon which such board is required to pass under such ordinance; to authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing

to special conditions, a literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. The board may permit in appropriate cases, and subject to appropriate conditions and safeguards in harmony with the general purpose and intent of the ordinance, a building or premises to be erected or used for such public utility purposes in any location which is reasonably necessary for the public convenience and welfare. Except in cases where a property owner requests a variance from an ordinance enacted under s. 59.692, 61.351 or 62.231, or adopted by the department of natural resources under s. 61.351 (6) or 62.231 (6), or from a conservancy zoning ordinance, a property owner may establish "unnecessary hardship", as that term is used in this subdivision, by demonstrating that strict compliance with an area zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome.

**SECTION 1592g.** 62.50 (23m) of the statutes is created to read:

62.50 **(23m)** FIREARM LAW MEDIA CAMPAIGN. The board shall conduct a city–wide communications media campaign designed to deter the unlawful possession and use of firearms by educating the public about the legal consequences of unlawful possession and use of firearms. The department of administration shall provide funding to the board for the media campaign under this subsection from the appropriation under s. 20.475 (1) (f). The amounts paid by the department of administration under this subsection may not exceed $90,000 in the 1999–2000 fiscal year and $60,000 in the 2000–01 fiscal year.

**SECTION 1606.** 66.0295 of the statutes is created to read:

**66.0295 Comprehensive planning. (1)** DEFINITIONS. In this section:

(a) "Comprehensive plan" means:

1. For a county, a development plan that is prepared or amended under s. 59.69 (2) or (3).

2. For a city or a village, or for a town that exercises village powers under s. 60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3).

3. For a regional planning commission, a master plan that is adopted or amended under s. 66.945 (8), (9) or (10).

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

**(2)** CONTENTS OF A COMPREHENSIVE PLAN. A comprehensive plan shall contain all of the following elements:

(a) *Issues and opportunities element*. Background information on the local governmental unit and a statement of overall objectives, policies, goals and programs of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20–year planning period. Background information shall include population, household and employment forecasts that the local governmental unit uses in developing its comprehensive plan, and demographic trends, age distribution, educational levels, income levels and employment characteristics that exist within the local governmental unit.

(b) *Housing element*. A compilation of objectives, policies, goals, maps and programs of the local governmental unit to provide an adequate housing supply that meets existing and forecasted housing demand in the local governmental unit. The element shall assess the age, structural, value and occupancy characteristics of the local governmental unit's housing stock. The element shall also identify specific

policies and programs that promote the development of housing for residents of the local governmental unit with all income levels and with various needs, policies and programs that promote the availability of land for the development or redevelopment of low–income and moderate–income housing, and policies and programs to maintain or rehabilitate the local governmental unit's existing housing stock.

(c) *Transportation element*. A compilation of objectives, policies, goals, maps and programs to guide the future development of the various modes of transportation, including highways, transit, transportation systems for persons with disabilities, bicycles, walking, railroads, air transportation, trucking and water transportation. The element shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The element shall also identify highways within the local governmental unit by function and incorporate other applicable transportation plans, including transportation corridor plans, county highway functional and jurisdictional studies, urban area and rural area transportation plans, airport master plans and rail plans that apply in the local governmental unit.

(d) *Utilities and community facilities element*. A compilation of objectives, policies, goals, maps and programs to guide the future development of utilities and community facilities in the local governmental unit such as sanitary sewer service, storm water management, water supply, solid waste disposal, on–site wastewater treatment technologies, recycling facilities, parks, telecommunications facilities, power–generating plants and transmission lines, cemeteries, health care facilities, child care facilities and other public facilities, such as police, fire and rescue facilities, libraries, schools and other governmental facilities. The element shall describe the location, use and capacity of existing public utilities and community facilities that

serve the local governmental unit, shall include an approximate timetable that forecasts the need in the local governmental unit to expand or rehabilitate existing utilities and facilities or to create new utilities and facilities and shall assess future needs for government services in the local governmental unit that are related to such utilities and facilities.

(e) *Agricultural, natural and cultural resources element.* A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources, parks, open spaces, historical and cultural resources, community design, recreational resources and other natural resources.

(f) *Economic development element.* A compilation of objectives, policies, goals, maps and programs to promote the stabilization, retention or expansion, of the economic base and quality employment opportunities in the local governmental unit, including an analysis of the labor force and economic base of the local governmental unit. The element shall assess categories or particular types of new businesses and industries that are desired by the local governmental unit. The element shall assess the local governmental unit's strengths and weaknesses with respect to attracting and retaining businesses and industries, and shall designate an adequate number of sites for such businesses and industries. The element shall also evaluate and promote the use of environmentally contaminated sites for commercial or industrial uses. The element shall also identify county, regional and state economic development programs that apply to the local governmental unit.

(g) *Intergovernmental cooperation element*. A compilation of objectives, policies, goals, maps and programs for joint planning and decision making with other jurisdictions, including school districts and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts and adjacent local governmental units, and to the region, the state and other governmental units. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

(h) *Land–use element*. A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land–use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years with detailed maps, in 5–year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the

boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

(i) *Implementation element*. A compilation of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinances, official maps, sign regulations, erosion and storm water control ordinances, historic preservation ordinances, site plan regulations, design review ordinances, building codes, mechanical codes, housing codes, sanitary codes or subdivision ordinances, to implement the objectives, policies, plans and programs contained in pars. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

**(3)** ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS. Beginning on January 1, 2010, any action of a local governmental unit that affects land use shall be consistent with that local governmental unit's comprehensive plan, including all of the following:

(a) Municipal incorporation procedures under s. 66.012, 66.013 or 66.014.

(b) Annexation procedures under s. 66.021, 66.024 or 66.025.

(c) Cooperative boundary agreements entered into under s. 66.023.

(d) Consolidation of territory under s. 66.02.

(e) Detachment of territory under s. 66.022.

(f) Municipal boundary agreements fixed by judgment under s. 66.027.

(g) Official mapping established or amended under s. 62.23 (6).

(h) Local subdivision regulation under s. 236.45 or 236.46.

(i) Extraterritorial plat review within a city's or village's extraterritorial plat approval jurisdiction, as is defined in s. 236.02 (5).

(j) County zoning ordinances enacted or amended under s. 59.69.

(k) City or village zoning ordinances enacted or amended under s. 62.23 (7).

(L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.

(m) An improvement of a transportation facility that is undertaken under s. 84.185.

(n) Agricultural preservation plans that are prepared or revised under subch. IV of ch. 91.

(o) Impact fee ordinances that are enacted or amended under s. 66.55.

(p) Land acquisition for recreational lands and parks under s. 23.09 (20).

(q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231.

(r) Construction site erosion control and storm water management zoning under s. 59.693, 61.354 or 62.234.

**(4)** PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS. A local governmental unit shall comply with all of the following before its comprehensive plan may take effect:

(a) The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services and public meetings for which advance notice has been provided, in every stage of the preparation of a

comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative or amended elements of a comprehensive plan and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments.

(b) The planning commission or other body of a local governmental unit that is authorized to prepare or amend a comprehensive plan may recommend the adoption or amendment of a comprehensive plan only by adopting a resolution by majority vote. The vote shall be recorded in the official minutes of the planning commission or other body. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan. One copy of an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to all of the following:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.

2. Every local governmental unit that is adjacent to the local governmental unit which is the subject of the plan that is adopted or amended as described in par. (b) (intro.).

3. The Wisconsin land council.

4. After September 1, 2003, the department of administration.

(c) No recommended comprehensive plan that is adopted or amended under par. (b) may take effect until the plan or amendment is enacted as an ordinance by the local governmental unit. The local governmental unit may not enact an ordinance under this paragraph unless the comprehensive plan contains all of the elements specified in sub. (2). An ordinance may be enacted under this paragraph

only by a majority vote of the members–elect, as defined in s. 59.001 (2m), of the governing body. An ordinance that is enacted under this paragraph shall be filed with at least all of the following:

1. The public library and the regional planning commission that serves the area in which the local governmental unit is located.

2. The clerk of any adjacent local governmental unit.

(d) No local governmental unit may enact an ordinance under par. (c) unless the local governmental unit holds at least one public hearing at which the proposed ordinance is discussed. That hearing must be preceded by a class 1 notice under ch. 985 that is published at least 30 days before the hearing is held. The local governmental unit may also provide notice of the hearing by any other means it considers appropriate. The class 1 notice shall contain at least the following information:

1. The date, time and place of the hearing.

2. A summary, which may include a map, of the proposed comprehensive plan or amendment to such a plan.

3. The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.

4. Information relating to where and when the proposed comprehensive plan or amendment to such a plan may be inspected before the hearing, and how a copy of the plan or amendment may be obtained.

**SECTION 1606m.** 66.034 of the statutes is created to read:

**66.034 Traditional neighborhood developments. (1)** DEFINITIONS. In this section:

(a) "Extension" has the meaning given in s. 36.05 (7).

(b) "Traditional neighborhood development" means a compact, mixed–use neighborhood where residential, commercial and civic buildings are within close proximity to each other.

**(2)** MODEL ORDINANCE. Not later than January 1, 2001, the extension, in consultation with any other University of Wisconsin System institution or with a landscape architect, as that term is used in s. 443.02 (5), or with independent planners or any other consultant with expertise in traditional neighborhood planning and development, shall develop a model ordinance for a traditional neighborhood development.

**(3)** CITY, VILLAGE AND TOWN REQUIREMENTS. (a) Not later than January 1, 2002, every city and village, and every town with a population of at least 5,000 shall enact an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance that is developed under sub. (2), although the ordinance is not required to be mapped.

(b) A city or village that comes into existence, or town whose population reaches at least 5,000, after January 1, 2002, shall enact an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance that is developed under sub. (2) not later than the first day of the 12th month beginning after the city or village comes into existence or after the town's population reaches at least 5,000, although the ordinance is not required to be mapped.

**SECTION 1607.** 66.04 (1m) (a) of the statutes is amended to read:

66.04 **(1m)** (a) No city, village ~~or,~~ town<u>, family care district under s. 46.2895</u> or agency or subdivision of a city, village or town may authorize funds for or pay to a physician or surgeon or a hospital, clinic or other medical facility for the performance of an abortion except those permitted under and which are performed in accordance with s. 20.927.

**SECTION 1608.** 66.04 (1m) (b) of the statutes is amended to read:

66.04 **(1m)** (b) No city, village ~~or~~, town, family care district under s. 46.2895 or agency or subdivision of a city, village or town may authorize payment of funds for a grant, subsidy or other funding involving a pregnancy program, project or service if s. 20.9275 (2) applies to the pregnancy program, project or service.

**SECTION 1608g.** 66.076 (5) (a) of the statutes is amended to read:

66.076 **(5)** (a) For the purpose of making equitable charges for all services rendered by the sanitary sewerage system to the municipality or to citizens, corporations and other users, the property benefited thereby may be classified, taking into consideration the volume of water, including surface or drain waters, the character of the sewage or waste and the nature of the use made of the sewerage system, including the sewage disposal plant. ~~The~~ Subject to sub. (13), the charges may also include standby charges to property not connected but for which such facilities have been made available.

**SECTION 1608h.** 66.076 (5) (b) of the statutes is amended to read:

66.076 **(5)** (b) For the purpose of making equitable charges for all services rendered by a storm water and surface water sewerage system to users, the property served may be classified, taking into consideration the volume or peaking of storm water or surface water discharge that is caused by the area of impervious surfaces, topography, impervious surfaces and other surface characteristics, extent and reliability of mitigation or treatment measures available to service the property, apart from measures provided by the storm water and surface water sewerage system, and any other considerations that are reasonably relevant to a use made of the storm water and surface water sewerage system. ~~The~~ Subject to sub. (13), the charges may also include standby charges to property not yet developed with

significant impervious surfaces for which capacity has been made available in the storm water and surface water sewerage system.

**SECTION 1608j.** 66.076 (13) of the statutes is created to read:

66.076 **(13)** No municipality may impose any charges under this section which are not uniformly assessed against all users of the system, unless the charges that are imposed meet the standards under s. 66.55 (6).

**SECTION 1609.** 66.119 (1) (b) 7. c. of the statutes is amended to read:

66.119 **(1)** (b) 7. c. That if the alleged violator makes a cash deposit and does not appear in court, he or she either will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment imposed by s. ~~165.87~~ 757.05, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

**SECTION 1610.** 66.119 (1) (b) 7. d. of the statutes is amended to read:

66.119 **(1)** (b) 7. d. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, the court may issue a summons or a warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment under sub. (3) (d), or the municipality may commence an action against the alleged violator to collect the forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any

applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1).

**SECTION 1611.** 66.119 (1) (c) of the statutes is amended to read:

66.119 **(1)** (c) An ordinance adopted under par. (a) shall contain a schedule of cash deposits that are to be required for the various ordinance violations, and for the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which a citation may be issued. The ordinance shall also specify the court, clerk of court or other official to whom cash deposits are to be made and shall require that receipts be given for cash deposits.

**SECTION 1612.** 66.119 (3) (a) of the statutes is amended to read:

66.119 **(3)** (a) The person named as the alleged violator in a citation may appear in court at the time specified in the citation or may mail or deliver personally a cash deposit in the amount, within the time and to the court, clerk of court or other official specified in the citation. If a person makes a cash deposit, the person may nevertheless appear in court at the time specified in the citation, provided that the cash deposit may be retained for application against any forfeiture, restitution, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment ~~or~~, consumer information assessment or domestic abuse assessment that may be imposed.

**SECTION 1613.** 66.119 (3) (b) of the statutes is amended to read:

66.119 **(3)** (b) If a person appears in court in response to a citation, the citation may be used as the initial pleading, unless the court directs that a formal complaint

be made, and the appearance confers personal jurisdiction over the person. The person may plead guilty, no contest or not guilty. If the person pleads guilty or no contest, the court shall accept the plea, enter a judgment of guilty and impose a forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put all matters in the case at issue, and the matter shall be set for trial.

**SECTION 1614.** 66.119 (3) (c) of the statutes is amended to read:

66.119 **(3)** (c) If the alleged violator makes a cash deposit and fails to appear in court, the citation may serve as the initial pleading and the violator shall be considered to have tendered a plea of no contest and submitted to a forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly or reject the plea. If the court finds the violation meets the conditions in s. 800.093 (1), the court may summon the alleged violator into court to determine if restitution shall be ordered under s. 800.093. If the court accepts the plea of no contest, the defendant may move within 10 days after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court

that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If the plea of no contest is accepted and not subsequently changed to a plea of not guilty, no costs or fees may be taxed against the violator, but a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment and, if applicable, a consumer information assessment or a domestic abuse assessment shall be assessed. If the court rejects the plea of no contest, an action for collection of the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment may be commenced. A city, village, town sanitary district or public inland lake protection and rehabilitation district may commence action under s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment.

**SECTION 1615.** 66.119 (3) (d) of the statutes is amended to read:

66.119 **(3)** (d) If the alleged violator does not make a cash deposit and fails to appear in court at the time specified in the citation, the court may issue a summons or warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment accordingly if service was completed as provided under par. (e) or the county, town, city, village, town sanitary district or public inland lake protection and rehabilitation district may commence an action for collection of the forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and

any applicable domestic abuse assessment. A city, village, town sanitary district or public inland lake protection and rehabilitation district may commence action under s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment. If the court considers the nonappearance to be a plea of no contest and enters judgment accordingly, the court shall promptly mail a copy or notice of the judgment to the defendant. The judgment shall allow the defendant not less than 20 days from the date of the judgment to pay any forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment imposed. If the defendant moves to open the judgment within 6 months after the court appearance date fixed in the citation, and shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect, the court shall reopen the judgment, accept a not guilty plea and set a trial date.

**SECTION 1616.** 66.12 (1) (b) of the statutes is amended to read:

66.12 **(1)** (b) Local ordinances, except as provided in this paragraph or ss. 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any or all violations under those ordinances, and may designate the manner in which the stipulation is to be made and fix the penalty to be paid. When a person charged with a violation for which stipulation of guilt or no contest is authorized makes a timely stipulation and pays the required penalty and pays the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime

laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated official, the person need not appear in court and no witness fees or other additional costs may be taxed unless the local ordinance so provides. A court appearance is required for a violation of a local ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall remit all moneys collected to the treasurer of the city, village, town sanitary district or public inland lake protection and rehabilitation district in whose behalf the sum was paid, except that all jail assessments shall be remitted to the county treasurer, within 20 days after its receipt by him or her; and in case of any failure in the payment, the treasurer may collect the payment of the officer by action, in the name of the office, and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. In the case of the penalty assessment imposed by s. ~~165.87~~ 757.05, the crime laboratories and drug law enforcement assessment imposed by s. 165.755, the driver improvement surcharge imposed by s. 346.655 (1), any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary district or public inland lake protection and rehabilitation district shall remit to the state treasurer the sum required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month. The governing body of the city, village, town sanitary district or public inland lake protection and rehabilitation district shall by ordinance designate the official to receive the penalties and the terms under which the official shall qualify.

**SECTION 1617.** 66.12 (3) (b) of the statutes is amended to read:

66.12 **(3)** (b) All forfeitures and penalties recovered for the violation of any ordinance or bylaw of any city, village, town, town sanitary district or public inland lake protection and rehabilitation district shall be paid into the city, village, town, town sanitary district or public inland lake protection and rehabilitation district treasury for the use of the city, village, town, town sanitary district or public inland lake protection and rehabilitation district, except as otherwise provided in par. (c), sub. (1) (b) and s. ~~165.87~~ 757.05. The judge shall report and pay into the treasury, quarterly, or at more frequent intervals if so required, all moneys collected belonging to the city, village, town, town sanitary district or public inland lake protection and rehabilitation district, which report shall be certified and filed in the office of the treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one of which he or she shall file with the city, village or town clerk or with the town sanitary district or the public inland lake protection and rehabilitation district.

**SECTION 1618m.** 66.293 (10) (a) of the statutes is amended to read:

66.293 **(10)** (a) Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (4) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor. If requested by any person, a contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall permit that person to inspect and copy any of those records to the same extent as the department would be required to permit inspection and copying of those records under ss. 19.31 to 19.39 if those records were in the custody of the department.

**SECTION 1619.** 66.299 (3) (a) 1. of the statutes is amended to read:

66.299 **(3)** (a) 1. A local governmental unit shall, to the extent practicable, make purchasing selections using specifications developed by state agencies under s. 16.72 (2) (e) to maximize the purchase of products utilizing recycled or recovered materials.

**SECTION 1620.** 66.299 (4) of the statutes is amended to read:

66.299 **(4)** PURCHASE OF RECYCLABLE MATERIALS. A local governmental unit shall, to the extent practicable, make purchasing selections using specifications prepared by state agencies under s. 16.72 (2) (f).

**SECTION 1621.** 66.30 (1) (a) of the statutes is amended to read:

66.30 **(1)** (a) In this section "municipality" means the state or any department or agency thereof, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.70 (2), local exposition district created under subch. II of ch. 229, local professional baseball park district created under subch. III of ch. 229, family care district under s. 46.2895, water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section, taxation district or regional planning commission.

**SECTION 1630b.** 66.431 (5) (a) 4. c. of the statutes is amended to read:

66.431 **(5)** (a) 4. c. To issue bonds in its discretion to finance its activities under this section, including the payment of principal and interest upon any advances for surveys and plans, and may issue refunding bonds for the payment or retirement of such bonds previously issued by it. ~~Such~~ Except for bonds described under subd. 4. d., such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the authority derived from or held in

connection with its undertaking and carrying out of projects or activities under this section; provided that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the federal government or other source, in aid of any projects or activities of the authority under this section, and by a mortgage of any such projects or activities, or any part thereof. Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction of the state, city or of any public body other than the authority issuing the bonds, and shall not be subject to any other law or charter relating to the authorization, issuance or sale of bonds. Bonds issued under this section are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempt from all taxes. Bonds issued under this section shall be authorized by resolution of the authority and may be issued in one or more series and shall bear such date, be payable upon demand or mature at such time, bear interest at such rate, be in such denomination, be in such form either with or without coupon or registered, carry such conversion or registration privileges, have such rank or priority, be payable in such medium of payment, at such place, and be subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics, as is provided by the resolution, trust indenture or mortgage issued pursuant thereto. Bonds issued under this section shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. The bonds may be sold or exchanged at public sale or by private negotiation with bond underwriters as the authority may provide. The bonds may be sold or exchanged at such price or prices as the authority shall determine. If sold or exchanged at public sale, the sale shall be held after a class 2 notice, under ch. 985, published prior to such sale in a

newspaper having general circulation in the city and in such other medium of publication as the authority determines. Such bonds may be sold to the federal government at private sale, without publication of any notice, at not less than par, and, if less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at private sale at not less than par at an interest cost to the authority of not to exceed the interest cost to the authority of the portion of the bonds sold to the federal government. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this section shall be fully negotiable. In any suit, action or proceeding involving the validity or enforceability of any bond issued under this section or the security therefor, any such bond reciting in substance that it has been issued by the authority in connection with a project or activity under this section shall be conclusively deemed to have been issued for such purpose and such project or activity shall be conclusively deemed to have been planned, located and carried out in accordance with this section.

**SECTION 1630c.** 66.431 (5) (a) 4. d. of the statutes is created to read:

66.431 **(5)** (a) 4. d. Subject to sub. (5m), the authority of a 1st class city may issue up to $200,000,000 in bonds to finance capital improvements at the request of the board of school directors of the school district operating under ch. 119 to implement the report approved under 1999 Wisconsin Act .... (this act), section 9139 (7tw) (b). Bonds issued under this subd. 4. d. may not have a maturity in excess of 20 years, and may not be issued later than the first day of the 60th month beginning after the effective date of this subd. 4. d. .... [revisor inserts date]. Principal and interest payments on bonds issued under this subd. 4. d. may be paid by the board of school directors of the school district operating under ch. 119.

**SECTION 1630d.** 66.431 (5m) of the statutes is created to read:

66.431 **(5m)** SPECIAL DEBT SERVICE RESERVE FUNDS. (a) *Designation of special debt service reserve funds.* The authority may designate one or more accounts in funds created under s. 66.066 (2) (e) as special debt service reserve funds if, prior to each issuance of bonds to be secured by the special debt service reserve fund, the secretary of administration determines that all of the following conditions are met with respect to the bonds described under sub. (5) (a) 4. d.:

1. 'Purpose.' The proceeds of the bonds, other than refunding bonds, will be used for public school facilities in the school district operating under ch. 119.

2. 'Feasibility.' There is a reasonable likelihood that the bonds will be repaid without the necessity of drawing on funds in the special debt service reserve fund that secures the bonds. The secretary of administration may make this determination of reasonable likelihood only after considering all of the following:

a. Whether a pledge of the revenues of the school district operating under ch. 119 is made under the bond resolution.

b. How the revenues of the school district operating under ch. 119 are pledged to the payment of the bonds.

c. The proposed interest rates of the bonds and the resulting cash–flow requirements.

d. The projected ratio of annual revenues from the school district operating under ch.119 to annual debt service of the authority, taking into account capitalized interest.

e. Whether an understanding exists providing for repayment by the authority to the state of all amounts appropriated to the special debt service reserve fund pursuant to par. (g).

f. Whether the authority has agreed that the department of administration will have direct and immediate access, at any time and without notice, to all records of the authority relating to the bonds.

3. 'Limit on bonds issued.' The amount of all bonds, other than refunding bonds, that would be secured by all special debt service reserve funds of the authority will not exceed $200,000,000.

4. 'Refunding bonds.' All refunding bonds to be secured by the special debt service reserve fund meet all of the following conditions:

a. The refunding bonds are to be issued to fund, refund or advance refund bonds secured by a special debt service reserve fund.

b. The refunding of bonds by the refunding bonds will not adversely affect the risk that the state will be called on to make a payment under par. (g).

5. 'Approval of outstanding debt.' All outstanding debt of the authority relating to the bonds has been reviewed and approved by the secretary of administration. In determining whether to approve outstanding debt under this subdivision, the secretary may consider any factor which the secretary determines to have a bearing on whether the state moral obligation pledge under par. (g) should be granted with respect to an issuance of bonds.

6. 'Financial reports.' The authority has agreed to provide to the department of administration all financial reports of the authority and all regular monthly statements of any trustee of the bonds on a direct and ongoing basis.

(b) *Payment of funds into a special debt service reserve fund.* The authority shall pay into any special debt service reserve fund of the authority any moneys appropriated and made available by the state for the purposes of the special debt service reserve fund, any proceeds of a sale of bonds described under sub. (5) (a) 4.

d. to the extent provided in the bond resolution authorizing the issuance of the bonds and any other moneys that are made available to the authority for the purpose of the special debt service reserve fund from any other source.

(c) *Use of moneys in the special debt service reserve fund.* All moneys held in any special debt service reserve fund of the authority, except as otherwise specifically provided, shall be used solely for the payment of the principal of bonds secured in whole or in part by the special debt service reserve fund, the making of sinking fund payments with respect to these bonds, the purchase or redemption of these bonds, the payment of interest on these bonds or the payment of any redemption premium required to be paid when these bonds are redeemed prior to maturity. If moneys in a special debt service reserve fund at any time are less than the special debt service reserve fund requirement under par. (e) for the special debt service reserve fund, the authority may not use these moneys for any optional purchase or optional redemption of the bonds. Any income or interest earned by, or increment to, any special debt service reserve fund due to the investment of moneys in the special debt service reserve fund may be transferred by the authority to other funds or accounts of the authority relating to the bonds to the extent that the transfer does not reduce the amount of the special debt service reserve fund below the special debt service reserve fund requirement under par. (e) for the special debt service reserve fund.

(d) *Limitation on bonds secured by a special debt service reserve fund.* The authority shall accumulate in each special debt service reserve fund an amount equal to the special debt service reserve fund requirement under par. (e) for the special debt service reserve fund. The authority may not at any time issue bonds secured in whole or in part by a special debt service reserve fund if upon the issuance of these bonds the amount in the special debt service reserve fund will be less than the special debt

service reserve fund requirement under par. (e) for the special debt service reserve fund.

(e) *Special debt service reserve fund requirement.* The special debt service reserve fund requirement for a special debt service reserve fund, as of any particular date of computation, is equal to an amount of money, as provided in the bond resolution authorizing the bonds with respect to which the special debt service reserve fund is established, that may not exceed the maximum annual debt service on the bonds of the authority for that fiscal year or any future fiscal year of the authority secured in whole or in part by that special debt service reserve fund. In computing the annual debt service for any fiscal year, bonds deemed to have been paid in accordance with the defeasance provisions of the bond resolution authorizing the issuance of the bonds shall not be included in bonds outstanding on such date of computation. The annual debt service for any fiscal year is the amount of money equal to the aggregate of all of the following calculated on the assumption that the bonds will, after the date of computation, cease to be outstanding by reason, but only by reason, of the payment of bonds when due, and the payment when due, and application in accordance with the bond resolution authorizing those bonds, of all of the sinking fund payments payable at or after the date of computation:

1. All interest payable during the fiscal year on all bonds that are secured in whole or in part by the special debt service reserve fund and that are outstanding on the date of computation.

2. The principal amount of all of the bonds that are secured in whole or in part by the special debt service reserve fund, are outstanding on the date of computation and mature during the fiscal year.

3. All amounts specified in bond resolutions of the authority authorizing any of the bonds that are secured in whole or in part by the special debt service reserve fund to be payable during the fiscal year as a sinking fund payment with respect to any of the bonds that mature after the fiscal year.

(f) *Valuation of securities.* In computing the amount of a special debt service reserve fund for the purposes of this subsection, securities in which all or a portion of the special debt service reserve fund is invested shall be valued at par, or, if purchased at less than par, at their cost to the authority.

(g) *State moral obligation pledge.* If at any time of valuation the special debt service reserve fund requirement under par. (e) for a special debt service reserve fund exceeds the amount of moneys in the special debt service reserve fund, the authority shall certify to the secretary of administration, the governor and the joint committee on finance the amount necessary to restore the special debt service reserve fund to an amount equal to the special debt service reserve fund requirement under par. (e) for the special debt service reserve fund. If this certification is received by the secretary of administration in an even–numbered year prior to the completion of the budget compilation under s. 16.43, the secretary shall include the certified amount in the budget compilation. In any case, the joint committee on finance shall introduce in either house, in bill form, an appropriation of the amount so certified to the appropriate special debt service reserve fund of the authority. Recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that, if ever called upon to do so, it shall make this appropriation.

**SECTION 1630e.** 66.46 (2) (f) 1. L. of the statutes is created to read:

66.46 **(2)** (f) 1. L. Costs for the removal, or containment, of lead contamination in buildings or infrastructure if the city declares that such lead contamination is a public health concern.

**SECTION 1630em.** 66.46 (4m) (b) 2. of the statutes is amended to read:

66.46 **(4m)** (b) 2. ~~No~~ Except as provided in subd. 2m., no tax incremental district may be created and no project plan may be amended unless the board approves the resolution adopted under sub. (4) (gm) or (h) 1. by a majority vote not less than 10 days nor more than 30 days after receiving the resolution.

**SECTION 1630f.** 66.46 (4m) (b) 2m. of the statutes is created to read:

66.46 **(4m)** (b) 2m. The requirement under subd. 2. that a vote by the board take place not less than 10 days nor more than 30 days after receiving a resolution does not apply to a resolution amending a project plan under sub. (4) (h) 1. if the resolution relates to a tax incremental district, the application for the redetermination of the tax incremental base of which was made in 1998, that is located in a village that was incorporated in 1912, has a population of at least 3,800 and is located in a county with a population of at least 108,000.

**SECTION 1630h.** 66.46 (5) (bf) of the statutes is created to read:

66.46 **(5)** (bf) Notwithstanding the time limits in par. (b), if the city clerk of a city that created a tax incremental district in July 1997 files with the department of revenue, not later than May 31, 1999, the forms and application that were originally due on or before December 31, 1997, the tax incremental base of the district shall be calculated by the department of revenue as if the forms and application had been filed on or before December 31, 1997, and, until the tax incremental district terminates, the department of revenue shall allocate tax increments and treat the district in all other respects as if the forms and application had been filed on or before

December 31, 1997, except that the department may not certify a value increment under par. (b) before 1999.

**SECTION 1630j.** 66.46 (5) (cf) of the statutes is created to read:

66.46 **(5)** (cf) If the city adopts an amendment to a plan, to which sub. (4m) (b) 2m. applies, the tax incremental base for the district shall be redetermined by adding to the tax incremental base the value, as of January 1, 1998, of the taxable property that is added to the existing district under sub. (4) (h) 1.

**SECTION 1630m.** 66.46 (6c) of the statutes is amended to read:

66.46 **(6c)** NOTIFICATION OF POSITION OPENINGS. (a) Any person who operates for profit and is paid project costs under sub. (2) (f) 1. a., d., j. and k. in connection with the project plan for a tax incremental district shall notify the department of workforce development and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29 USC 2832, of any positions to be filled in the county in which the city which created the tax incremental district is located during the period commencing with the date the person first performs work on the project and ending one year after receipt of its final payment of project costs. The person shall provide this notice at least 2 weeks prior to advertising the position.

(b) Any person who operates for profit and buys or leases property in a tax incremental district from a city for which the city incurs real property assembly costs under sub. (2) (f) 1. c. shall notify the department of workforce development and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29 USC 2832, of any position to be filled in the county in which the city creating the tax incremental

district is located within one year after the sale or commencement of the lease. The person shall provide this notice at least 2 weeks prior to advertising the position.

**SECTION 1632.** 66.462 (1) (c) of the statutes is amended to read:

66.462 **(1)** (c) "Eligible costs" means capital costs, financing costs and administrative and professional service costs, incurred or estimated to be incurred by a political subdivision, for the investigation, removal, containment or monitoring of, or the restoration of soil, air, surface water, sediments or groundwater affected by, environmental pollution, including monitoring costs incurred within 2 years after the date on which the department of natural resources certifies that environmental pollution on the property has been remediated, cancellation of delinquent taxes, property acquisition costs, demolition costs including asbestos removal, and removing and disposing of underground storage tanks or abandoned containers, as defined in s. 292.41 (1), except that for any parcel of land "eligible costs" shall be reduced by any amounts received from persons responsible for the discharge, as defined in s. 292.01 (3), of a hazardous substance on the property to pay for the costs of remediating environmental pollution on the property, by any amounts received, or reasonably expected by the political subdivision to be received, from a local, state or federal program for the remediation of contamination in the district that do not require reimbursement or repayment and by the amount of net gain from the sale of the property by the political subdivision. "Eligible costs" associated with groundwater affected by environmental pollution include investigation and remediation costs for groundwater that is located in, and extends beyond, the property that is being remediated.

**SECTION 1634.** 66.462 (2) of the statutes is renumbered 66.462 (2) (a) and amended to read:

66.462 **(2)** (a) USE OF ENVIRONMENTAL REMEDIATION TAX INCREMENTS. A political subdivision that develops, and whose governing body approves, a written proposal to remediate environmental pollution ~~on property owned by the political subdivision~~ may use an environmental remediation tax increment to pay the eligible costs of remediating environmental pollution on contiguous parcels of property that ~~is~~ are located within the political subdivision and that are not part of a tax incremental district created under s. 66.46 ~~and that is owned by the political subdivision at the time of the remediation and then transferred to another person after the property is remediated~~, as provided in this section, except that a political subdivision may use an environmental remediation tax increment to pay the cost of remediating environmental pollution of groundwater without regard to whether the property above the groundwater is owned by the political subdivision. If the political subdivision owns the property that is being remediated, the political subdivision may not sell or otherwise transfer the property to any person who is responsible for the environmental pollution which is remediated. No political subdivision may submit an application to the department under sub. (4) until the joint review board approves the political subdivision's written proposal under sub. (3).

**SECTION 1634c.** 66.462 (2) (b) of the statutes is created to read:

66.462 **(2)** (b) No expenditure for an eligible cost may be made by a political subdivision later than 7 years after the environmental remediation tax incremental base is certified by the department under sub. (4).

**SECTION 1635.** 66.462 (3) (a) of the statutes is amended to read:

66.462 **(3)** (a) Any political subdivision that seeks to use an environmental remediation tax increment under sub. (2) shall convene a joint review board to review the proposal. The board shall consist of one representative chosen by the school

district that has power to levy taxes on the property that is remediated, one representative chosen by the technical college district that has power to levy taxes on the property, one representative chosen by the county that has power to levy taxes on the property that is remediated, one representative chosen by the ~~political subdivision~~ city, village or town that has power to levy taxes on the property that is remediated and one public member. If more than one city, village or town, more than one school district, more than one technical college district or more than one county has the power to levy taxes on the property that is remediated, the unit in which is located property that has the greatest value shall choose that representative to the board. The public member and the board's chairperson shall be selected by a majority of the other board members at the board's first meeting. All board members shall be appointed and the first board meeting held within 14 days after the political subdivision's governing body approves the written proposal under sub. (2). Additional meetings of the board shall be held upon the call of any member. The political subdivision that seeks to act under sub. (2) shall provide administrative support for the board. By majority vote, the board may disband following approval or rejection of the proposal.

**SECTION 1635c.** 66.462 (3) (b) 2. of the statutes is amended to read:

66.462 **(3)** (b) 2. No written application may be submitted under sub. (4) unless the board approves the written proposal under sub. (2) (a) by a majority vote not less than 10 days nor more than 30 days after receiving the proposal.

**SECTION 1635m.** 66.462 (3) (bm) of the statutes is created to read:

66.462 **(3)** (bm) A joint review board acting under this section, or under s. 66.46 (4m), as described in par. (d), may not approve a proposal under this section for which

the political subdivision has incurred eligible costs, or which contains estimates of eligible costs, in excess of $80,000, unless one of the following applies:

1. The contract entered into by the political subdivision to remediate the environmental pollution on the property to which the proposal applies contains a guaranteed maximum cost, that is to be paid by the political subdivision, which is consistent with the costs identified in the remedial action plan described under sub. (4) (a).

2. The political subdivision obtains insurance to cover any costs that exceed the costs identified in the remedial action plan described under sub. (4) (a).

**SECTION 1636.** 66.462 (4) (a) of the statutes is amended to read:

66.462 **(4)** (a) The political subdivision submits a statement that it has incurred some eligible costs, and includes with the statement a detailed proposed remedial action plan approved by the department of natural resources that contains cost estimates for anticipated eligible costs and a schedule for the design, implementation and construction that is needed to complete the remediation, with respect to the parcel or contiguous parcels of property and the statement details the purpose and amount of the expenditures already made and includes a dated certificate issued by the department of natural resources that certifies that ~~environmental pollution on the parcel of property has been remediated~~ the department of natural resources has approved the site investigation report that relates to the parcel or contiguous parcels in accordance with rules promulgated by the department of natural resources.

**SECTION 1636e.** 66.462 (4) (c) of the statutes is amended to read:

66.462 **(4)** (c) The political subdivision submits a statement, signed by its chief executive officer, that the political subdivision has attempted to recover the cost of

remediating environmental pollution on the property from ~~responsible parties~~ the person who caused the environmental pollution.

**SECTION 1637t.** 66.521 (6m) of the statutes is amended to read:

66.521 **(6m)** NOTIFICATION OF POSITION OPENINGS. A municipality may not enter into a revenue agreement with any person who operates for profit unless that person has agreed to notify the department of workforce development and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29 USC 2832, of any position to be filled in that municipality within one year after issuance of the revenue bonds. The person shall provide this notice at least 2 weeks before advertising the position. The notice required by this subsection does not affect the offer of employment requirements of sub. (4s).

**SECTION 1638e.** 66.55 (1) (a) of the statutes is amended to read:

66.55 **(1)** (a) "Capital costs" means the capital costs to construct, expand or improve public facilities, including the cost of land, and including legal, engineering and design costs to construct, expand or improve public facilities, except that not more than 10% of capital costs may consist of legal, engineering and design costs unless the ~~political subdivision~~ municipality can demonstrate that its legal, engineering and design costs which relate directly to the public improvement for which the impact fees were imposed exceed 10% of capital costs. "Capital costs" does not include other noncapital costs to construct, expand or improve public facilities or the costs of equipment to construct, expand or improve public facilities.

**SECTION 1638ec.** 66.55 (1) (c) of the statutes is amended to read:

66.55 **(1)** (c) "Impact fees" means cash contributions, contributions of land or interests in land or any other items of value that are imposed on a developer by a ~~political subdivision~~ municipality under this section.

**SECTION 1638ee.** 66.55 (1) (d) of the statutes is amended to read:

66.55 **(1)** (d) "Land development" means the construction or modification of improvements to real property that creates additional residential dwelling units within a ~~political subdivision~~ municipality or that results in nonresidential uses that create a need for new, expanded or improved public facilities within a ~~political subdivision~~ municipality.

**SECTION 1638eg.** 66.55 (1) (e) of the statutes is amended to read:

66.55 **(1)** (e) "~~Political subdivision~~ Municipality" means a city, village~~,~~ or town ~~or county~~.

**SECTION 1638ei.** 66.55 (1) (f) of the statutes is amended to read:

66.55 **(1)** (f) "Public facilities" means highways, as defined in s. 340.01 (22), ~~and other transportation facilities,~~ traffic control devices, facilities for collecting and treating sewage, facilities for collecting and treating storm and surface waters, facilities for pumping, storing and distributing water, ~~parks, playgrounds and other recreational facilities, solid waste and recycling facilities,~~ lands for parks and real property improvements to parks, fire protection facilities, law enforcement facilities~~,~~ and emergency medical facilities ~~and libraries except that, with regard to counties, "public facilities" does not include highways, as defined in s. 340.01 (22), other transportation facilities or traffic control devices~~. "Public facilities" does not include facilities owned by a school district.

**SECTION 1638ek.** 66.55 (1) (fs) of the statutes is created to read:

66.55 **(1)** (fs) "Real property improvements to parks" means basic facilities and improvements that include shelters, playground equipment, parking lots and restroom facilities, but does not include swimming pools, multiple baseball diamonds or scoreboards.

**SECTION 1638eL.** 66.55 (1) (g) of the statutes is amended to read:

66.55 **(1)** (g) "Service area" means a geographic area delineated by a ~~political subdivision~~ municipality within which there are public facilities.

**SECTION 1638en.** 66.55 (1) (h) of the statutes is amended to read:

66.55 **(1)** (h) "Service standard" means a certain quantity or quality of public facilities relative to a certain number of persons, parcels of land or other appropriate measure, as specified by the ~~political subdivision~~ municipality.

**SECTION 1638ep.** 66.55 (2) (a) of the statutes is amended to read:

66.55 **(2)** (a) ~~Subject to par. (am), a political subdivision~~ A municipality may enact an ordinance under this section that imposes impact fees on developers to pay for the capital costs that are necessary to accommodate land development.

**SECTION 1638er.** 66.55 (2) (am) of the statutes is repealed.

**SECTION 1638et.** 66.55 (2) (b) of the statutes is amended to read:

66.55 **(2)** (b) Subject to par. (c), this section does not prohibit or limit the authority of a ~~political subdivision~~ municipality to finance public facilities by any other means authorized by law, except that the amount of an impact fee imposed by a ~~political subdivision~~ municipality shall be reduced, under sub. (6) (d), to compensate for any other costs of public facilities imposed by the ~~political subdivision~~ municipality on developers to provide or pay for capital costs.

**SECTION 1638ev.** 66.55 (2) (c) of the statutes is amended to read:

66.55 **(2)** (c) Beginning on May 1, 1995, a ~~political subdivision~~ municipality may impose and collect impact fees only under this section.

**SECTION 1638ex.** 66.55 (3) of the statutes is amended to read:

66.55 **(3)** PUBLIC HEARING; NOTICE. Before enacting an ordinance that imposes impact fees, or amending an existing ordinance that imposes impact fees, a ~~political subdivision~~ municipality shall hold a public hearing on the proposed ordinance or amendment. Notice of the public hearing shall be published as a class 1 notice under ch. 985, and shall specify where a copy of the proposed ordinance or amendment and the public facilities needs assessment may be obtained.

**SECTION 1638f.** 66.55 (4) (a) (intro.) of the statutes is amended to read:

66.55 **(4)** (a) (intro.) Before enacting an ordinance that imposes impact fees or amending an ordinance that imposes impact fees by revising the amount of the fee or altering the public facilities for which impact fees may be imposed, a ~~political subdivision~~ municipality shall prepare a needs assessment for the public facilities for which it is anticipated that impact fees may be imposed. The public facilities needs assessment shall include, but not be limited to, the following:

**SECTION 1638fc.** 66.55 (4) (a) 3. of the statutes is amended to read:

66.55 **(4)** (a) 3. A detailed estimate of the capital costs of providing the new public facilities or the improvements or expansions in existing public facilities identified in subd. 2., including an estimate of the effect of recovering these capital costs through impact fees on the availability of affordable housing within the ~~political subdivision~~ municipality.

**SECTION 1638fe.** 66.55 (4) (b) of the statutes is amended to read:

66.55 **(4)** (b) A public facilities needs assessment or revised public facilities needs assessment that is prepared under this subsection shall be available for public

inspection and copying in the office of the clerk of the ~~political subdivision~~ municipality at least 20 days before the hearing under sub. (3).

**SECTION 1638fg.** 66.55 (5) (b) of the statutes is amended to read:

66.55 **(5)** (b) An ordinance enacted under this section may delineate geographically defined zones within the ~~political subdivision~~ municipality and may impose impact fees on land development in a zone that differ from impact fees imposed on land development in other zones within the ~~political subdivision~~ municipality. The public facilities needs assessment that is required under sub. (4) shall explicitly identify the differences, such as land development or the need for those public facilities, which justify the differences between zones in the amount of impact fees imposed.

**SECTION 1638fi.** 66.55 (6) (b) of the statutes is amended to read:

66.55 **(6)** (b) May not exceed the proportionate share of the capital costs that are required to serve land development, as compared to existing uses of land within the ~~political subdivision~~ municipality.

**SECTION 1638fk.** 66.55 (6) (d) of the statutes is amended to read:

66.55 **(6)** (d) Shall be reduced to compensate for other capital costs imposed by the ~~political subdivision~~ municipality with respect to land development to provide or pay for public facilities, including special assessments, special charges, land dedications or fees in lieu of land dedications under ch. 236 or any other items of value.

**SECTION 1638fm.** 66.55 (6) (g) of the statutes is amended to read:

66.55 **(6)** (g) Shall be payable by the developer to the ~~political subdivision~~ municipality, either in full or in instalment payments that are approved by the ~~political subdivision, before~~ municipality, and may not be due on a date that is earlier

than the date on which a building permit ~~may be~~ for the construction of a dwelling or other structure within the land development is issued ~~or other required approval may be given by the political subdivision~~.

**SECTION 1638fo.** 66.55 (7) of the statutes is amended to read:

66.55 **(7)** LOW–COST HOUSING. An ordinance enacted under this section may provide for an exemption from, or a reduction in the amount of, impact fees on land development that provides low–cost housing, except that no amount of an impact fee for which an exemption or reduction is provided under this subsection may be shifted to any other development in the land development in which the low–cost housing is located or to any other land development in the ~~political subdivision~~ municipality.

**SECTION 1638fq.** 66.55 (8) of the statutes is amended to read:

66.55 **(8)** REQUIREMENTS FOR IMPACT FEE REVENUES. Revenues from impact fees shall be placed in a segregated, interest–bearing account and shall be accounted for separately from the other funds of the ~~political subdivision~~ municipality. Impact fee revenues and interest earned on impact fee revenues may be expended only for capital costs for which the impact fees were imposed.

**SECTION 1638fs.** 66.55 (9) of the statutes is amended to read:

66.55 **(9)** REFUND OF IMPACT FEES. An ordinance enacted under this section shall specify that impact fees that are imposed and collected by a ~~political subdivision~~ municipality but are not used within a reasonable period of time after they are collected to pay the capital costs for which they were imposed shall be refunded to the current owner of the property with respect to which the impact fees were imposed. The ordinance shall specify, by type of public facility, reasonable time periods within which impact fees must be spent or refunded under this subsection. In determining the length of the time periods under the ordinance, a ~~political~~

~~subdivision~~ municipality shall consider what are appropriate planning and financing periods for the particular types of public facilities for which the impact fees are imposed.

**SECTION 1638fu.** 66.55 (10) of the statutes is amended to read:

66.55 **(10)** APPEAL. A ~~political subdivision~~ municipality that enacts an impact fee ordinance under this section shall, by ordinance, specify a procedure under which a developer upon whom an impact fee is imposed has the right to contest the amount, collection or use of the impact fee to the governing body of the ~~political subdivision~~ municipality.

**SECTION 1638m.** 66.75 (1m) (f) 3. of the statutes is amended to read:

66.75 **(1m)** (f) 3. From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute ~~97%~~ 98.25% of the taxes collected under this paragraph for each district to that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this paragraph shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Any district that receives a report along with a payment under this subdivision or subd. 2. is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

**SECTION 1644.** 66.945 (8) (a) of the statutes is amended to read:

66.945 **(8)** (a) The regional planning commission may conduct all types of research studies, collect and analyze data, prepare maps, charts and tables, and conduct all necessary studies for the accomplishment of its other duties; it may, consistent with the elements specified in s. 66.0295, make plans for the physical,

social and economic development of the region, and may, consistent with the elements specified in s. 66.0295, adopt by resolution any plan or the portion of any plan so prepared as its official recommendation for the development of the region; it may publicize and advertise its purposes, objectives and findings, and may distribute reports thereon; it may provide advisory services on regional planning problems to the local government units within the region and to other public and private agencies in matters relative to its functions and objectives, and may act as a coordinating agency for programs and activities of such local units and agencies as they relate to its objectives. All public officials shall, upon request, furnish to the regional planning commission, within a reasonable time, such available information as it requires for its work. In general, the regional planning commission shall have all powers necessary to enable it to perform its functions and promote regional planning. The functions of the regional planning commission shall be solely advisory to the local governments and local government officials comprising the region.

**SECTION 1645.** 66.945 (9) of the statutes is amended to read:

66.945 **(9)** PREPARATION OF MASTER PLAN FOR REGION. The regional planning commission shall have the function and duty of making and adopting a master plan for the physical development of the region. The master plan, with the accompanying maps, plats, charts, programs and descriptive and explanatory matter, shall show the commission's recommendations for such physical development and ~~may include, among other things without limitation because of enumeration, the general location, character and extent of main traffic arteries, bridges and viaducts; public places and areas; parks; parkways; recreational areas; sites for public buildings and structures; airports; waterways; routes for public transit; and the general location and extent of main and interceptor sewers, water conduits and other public utilities whether~~

~~privately or publicly owned; areas for industrial, commercial, residential, agricultural or recreational development~~ shall contain at least the elements described in s. 66.0295. The regional planning commission may amend, extend or add to the master plan or carry any part or subject matter into greater detail.

**SECTION 1646.** 66.945 (10) of the statutes is amended to read:

66.945 **(10)** ADOPTION OF MASTER PLAN FOR REGION. The master plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the region which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development. The regional planning commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may by resolution adopt a part or parts thereof, any such part to correspond ~~generally~~ with one or more of the ~~functional subdivisions of the subject matter of the plan~~ elements specified in s. 66.0295. The resolution shall refer expressly to the maps, plats, charts, programs and descriptive and explanatory matter, and other matters intended by the regional planning commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the chairperson of the regional planning commission and a copy of the plan or part thereof shall be certified to the legislative bodies of the local governmental units within the region. The purpose and effect of adoption of the master plan shall be solely to aid the regional planning commission and the local governments and local government officials comprising the region in the performance of their functions and duties.

**SECTION 1647.** 67.04 (5) (b) 2. of the statutes is repealed.

**SECTION 1648g.** 67.05 (6m) (intro.) of the statutes is amended to read:

67.05 **(6m)** HEARING AND REFERENDUM IN TECHNICAL COLLEGE DISTRICTS. (intro.) ~~Prior~~ Unless sub. (7) (k) applies, prior to the adoption of an initial resolution under sub. (1), the technical college district board shall adopt a resolution stating its intention to borrow money for the purposes specified in s. 38.16 (2) and setting a date, time and place for a public hearing on the resolution adopted under this subsection which shall be held within 30 days after its adoption. The technical college district secretary immediately shall publish a copy of the resolution adopted under this subsection as a class 1 notice, under ch. 985.

**SECTION 1648m.** 67.05 (7) (k) of the statutes is created to read:

67.05 **(7)** (k) Subsection (6m) does not apply to an initial resolution adopted by a technical college district board to purchase or construct a facility to be used as an applied technology center to which s. 38.15 (3) (c) applies.

**SECTION 1649.** 67.12 (12) (a) of the statutes is amended to read:

67.12 **(12)** (a) Any municipality may issue promissory notes as evidence of indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not limited to paying any general and current municipal expense, and refunding any municipal obligations, including interest on them. Each note, plus interest if any, shall be repaid within 10 years after the original date of the note, except that notes issued under this section for purposes of ss. 145.245 (12m), 281.58 ~~and~~, 281.59, 281.595, 281.60 and 281.61, or to raise funds to pay a portion of the capital costs of a metropolitan sewerage district, shall be repaid within 20 years after the original date of the note.

**SECTION 1649m.** 67.12 (12) (k) of the statutes is created to read:

67.12 **(12)** (k) Paragraph (e) 5. does not apply to borrowing by a technical college district board to purchase or construct a facility to be used as an applied technology center if s. 38.15 (3) (c) applies.

**SECTION 1649r.** 69.22 (1) (c) of the statutes is amended to read:

69.22 **(1)** (c) ~~Twelve~~ Thirteen dollars and 40 cents for issuing a copy of a birth certificate, $1.40 of which shall be forwarded to the state treasurer as provided in sub. (1m) and credited to the appropriation under s. 20.435 (5) (jk) and $7 of which shall be forwarded to the state treasurer as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h).

**SECTION 1649s.** 69.22 (1) (c) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

69.22 **(1)** (c) Twelve dollars for issuing a copy of a birth certificate, $7 of which shall be forwarded to the state treasurer as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h).

**SECTION 1650.** 69.30 (1) (am) of the statutes is created to read:

69.30 **(1)** (am) "Family care district" has the meaning given in s. 46.2805 (5).

**SECTION 1651.** 69.30 (2) of the statutes is amended to read:

69.30 **(2)** A financial institution, state agency, county department, Wisconsin works agency ~~or,~~ service office or family care district or an employe of a financial institution, state agency, county department, Wisconsin works agency ~~or,~~ service office or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy of a vital record for use by the financial institution, state agency, county department, Wisconsin works agency ~~or,~~ service office or family care district, including use under s. 45.36 (4m), if the copy is marked "FOR ADMINISTRATIVE USE".

**SECTION 1652.** 70.11 (2) of the statutes is amended to read:

70.11 **(2)** MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION. Property owned by any county, city, village, town, school district, technical college district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22, joint local water authority created under s. 66.0735, family care district under s. 46.2895 or town sanitary district; lands belonging to cities of any other state used for public parks; land tax–deeded to any county or city before January 2; but any residence located upon property owned by the county for park purposes which is rented out by the county for a nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after August 17, 1961, to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the leasehold income, does not render that property taxable.

**SECTION 1653.** 70.11 (35) of the statutes is amended to read:

70.11 **(35)** CULTURAL AND ARCHITECTURAL LANDMARKS. Property described in s. 234.935 (1), 1997 stats.

**SECTION 1655m.** 70.32 (1g) of the statutes is amended to read:

70.32 **(1g)** In addition to the factors set out in sub. (1), the assessor shall consider the effect on the value of the property of any zoning ordinance under s. 59.692, 61.351 or 62.231, any conservation easement under s. 700.40, any conservation restriction under an agreement with the federal government and any restrictions under ch. 91. Beginning with the property tax assessments as of January 1, 2000, the assessor may not consider the effect on the value of the property

of any federal income tax credit that is extended to the property owner under section 42 of the Internal Revenue Code.

**SECTION 1673b.** 71.01 (1g) of the statutes is created to read:

71.01 **(1g)** "Commercial domicile" means the location of a trade or business from which the trade or business is principally managed in the United States, regardless of whether the trade or business is organized under the laws of a foreign country, the commonwealth of Puerto Rico or any territory or possession of the United States. The location of the taxpayer's trade or business at which the greatest number of the taxpayer's employes work or are regularly connected, as of the last day of the taxable year, is rebuttably presumed to be the taxpayer's commercial domicile.

**SECTION 1673c.** 71.01 (5r) of the statutes is created to read:

71.01 **(5r)** "Intangible property" includes patents, copyrights, trademarks, trade names, service names, service marks, logos, franchises, licenses, plans, specifications, blueprints, processes, techniques, formulas, designs, layouts, patterns, drawings, manuals, customer lists, contracts, technical know–how and trade secrets. "Intangible property" does not include securities.

**SECTION 1673d.** 71.01 (6) (e) of the statutes is repealed.

**SECTION 1673e.** 71.01 (6) (f) of the statutes is amended to read:

71.01 **(6)** (f) For taxable years that begin after December 31, 1990, and before January 1, 1992, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L.

100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673f**. 71.01 (6) (g) of the statutes is amended to read:

71.01 **(6)** (g) For taxable years that begin after December 31, 1991, and before January 1, 1993, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,

P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673g**. 71.01 (6) (h) of the statutes is amended to read:

71.01 **(6)** (h) For taxable years that begin after December 31, 1992, and before January 1, 1994, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.

101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673h**. 71.01 (6) (i) of the statutes is amended to read:

71.01 **(6)** (i) For taxable years that begin after December 31, 1993, and before January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66 and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as

indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673i**. 71.01 (6) (j) of the statutes is amended to read:

71.01 **(6)** (j) For taxable years that begin after December 31, 1994, and before January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended

to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673j.** 71.01 (6) (k) of the statutes is amended to read:

71.01 **(6)** (k) For taxable years that begin after December 31, 1995, and before January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204,

1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673k**. 71.01 (6) (L) of the statutes is amended to read:

71.01 **(6)** (L) For taxable years that begin after December 31, 1996, and before January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that

indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673L.** 71.01 (6) (m) of the statutes is amended to read:

71.01 **(6)** (m) For taxable years that begin after December 31, 1997, and before January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the

provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1673m.** 71.01 (6) (n) of the statutes is created to read:

71.01 **(6)** (n) For taxable years that begin after December 31, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

**SECTION 1673n.** 71.01 (7r) of the statutes is amended to read:

71.01 **(7r)** Notwithstanding sub. (6), for purposes of computing amortization or depreciation, "~~internal revenue code~~ Internal Revenue Code" means either the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, ~~1997~~ 1998, or the federal ~~internal revenue code~~ Internal Revenue Code in effect for

the taxable year for which the return is filed, except that property that, under s. 71.02 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980.

**SECTION 1673p.** 71.01 (8g) of the statutes is amended to read:

71.01 **(8g)** "Member" does not include a member of a limited liability company treated as a corporation under s. 71.22 ~~(1)~~ (1g).

**SECTION 1673r.** 71.01 (8m) of the statutes is amended to read:

71.01 **(8m)** "Partner" does not include a partner of a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1g).

**SECTION 1674.** 71.01 (16) of the statutes is amended to read:

71.01 **(16)** "Wisconsin taxable income" of natural persons means Wisconsin adjusted gross income less the Wisconsin standard deduction, less the personal exemption described under s. 71.05 (23), with losses, depreciation, recapture of benefits, offsets, depletion, deductions, penalties, expenses and other negative income items determined according to the manner that income is or would be allocated, except that the negative income items on individual or separate returns for net rents and other net returns which are marital property attributable to the investment, rental, licensing or other use of nonmarital property shall be allocated to the owner of the property.

**SECTION 1674e.** 71.02 (1) of the statutes is amended to read:

71.02 **(1)** For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax on all net incomes of individuals and fiduciaries, except fiduciaries of nuclear

decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every natural person residing within the state or by his or her personal representative in case of death, and trusts ~~administered~~ resident within the state; by every nonresident natural person and trust of this state, upon such income as is derived from property located or business transacted within the state including, but not limited by enumeration, income derived from a limited partner's distributive share of partnership income, income derived from a limited liability company member's distributive share of limited liability company income, the state lottery under ch. 565, any multijurisdictional lottery under ch. 565 if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the department, winnings from a casino or bingo hall that is located in this state and that is operated by a Native American tribe or band and pari–mutuel wager winnings or purses under ch. 562, and also by every nonresident natural person upon such income as is derived from the performance of personal services within the state, except as exempted under s. 71.05 (1) to (3). Every natural person domiciled in the state shall be deemed to be residing within the state for the purposes of determining liability for income taxes and surtaxes. A single–owner entity that is disregarded as a separate entity under section 7701 of the Internal Revenue Code is disregarded as a separate entity under this chapter, and its owner is subject to the tax on the entity's income.

**SECTION 1674m.** 71.03 (1) of the statutes is amended to read:

71.03 **(1)** DEFINITION. In this section, "gross income" means all income, from whatever source derived and in whatever form realized, whether in money, property or services, which is not exempt from Wisconsin income taxes. "Gross income" includes, but is not limited to, the following items: compensation for services,

including salaries, wages and fees, commissions and similar items; gross income derived from business; interest; rents; royalties; dividends; alimony and separate maintenance payments; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributive shares of partnership gross income except distributive shares of the income of publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1g); distributive shares of limited liability company gross income except distributive shares of the income of limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1g); income in respect of a decedent; and income from an interest in an estate or trust. "Gross income" from a business or farm consists of the total gross receipts without reduction for cost of goods sold, expenses or any other amounts. The gross rental amounts received from rental properties are included in gross income without reduction for expenses or any other amounts. "Gross income" from the sale of securities, property or other assets consists of the gross selling price without reduction for the cost of the assets, expenses of sale or any other amounts. "Gross income" from an annuity, retirement plan or profit sharing plan consists of the gross amount received without reduction for the employe's contribution to the annuity or plan.

**SECTION 1674t.** 71.03 (2) (a) 1. of the statutes is amended to read:

71.03 **(2)** (a) 1. Every ~~natural person domiciled in this state during the entire taxable year having gross income of $5,200 or more if under 65 years of age, or $5,700 or more if 65 years of age or over, or $7,040 or more if the natural person files as a head of household, and every married person who files jointly and is domiciled in this state during the entire taxable year having gross income during the year when the joint gross income of the married person and his or her spouse is $7,200 or more if both are under 65 years of age; $7,700 or more if one spouse is under 65 years of age~~

~~and the other spouse is 65 years of age or over; or $8,200 or more if both are 65 years of age or over; and every married person who files separately and is domiciled in this state during the entire taxable year and has gross income of $3,420 or more. The department of revenue shall annually adjust the dollar amounts of the filing requirements so as to reflect changes in the standard deduction, the rates under s. 71.06 or the exemption under s. 71.07 (8) (a)~~ individual domiciled in this state during the entire taxable year who has a gross income at or above a threshold amount which shall be determined annually by the department of revenue. The threshold amounts shall be determined for categories of individuals based on filing status and age, and shall include categories for single individuals; individuals who file as a head of household; married couples who file jointly; and married persons who file separately. The department of revenue shall establish a threshold amount for each category of individual at an amount at which no individual in that category whose gross income is below that amount has a state income tax liability.

**SECTION 1675.** 71.04 (4) of the statutes is renumbered 71.04 (4) (intro) and amended to read:

71.04 **(4)** NONRESIDENT ALLOCATION AND APPORTIONMENT FORMULA. (intro.) Nonresident individuals and nonresident estates and trusts engaged in business within and without the state shall be taxed only on such income as is derived from business transacted and property located within the state. The amount of such income attributable to Wisconsin may be determined by an allocation and separate accounting thereof, when the business of such nonresident individual or nonresident estate or trust within the state is not an integral part of a unitary business, but the department of revenue may permit an allocation and separate accounting in any case in which it is satisfied that the use of such method will properly reflect the income

taxable by this state. In all cases in which allocation and separate accounting is not permissible, the determination shall be made in the following manner: for all businesses except ~~financial organizations~~ telecommunications companies, public utilities, railroads, sleeping car companies and car line companies there shall first be deducted from the total net income of the taxpayer the part thereof (less related expenses, if any) that follows the situs of the property or the residence of the recipient. ~~The~~ Except as provided under s. 71.25 (9d) and (9g), the remaining net income shall be apportioned to ~~Wisconsin~~ this state by use of ~~an apportionment fraction composed of a sales factor representing 50% of the fraction, a property factor representing 25% of the fraction and a payroll factor representing 25% of the fraction.~~ the following:

**SECTION 1675b.** 71.04 (4) (a) of the statutes is created to read:

71.04 **(4)** (a) For taxable years beginning after December 31, 2000, and before January 1, 2002, an apportionment fraction composed of a sales factor under sub. (7) representing 63% of the fraction, a property factor under sub. (5) representing 18.5% of the fraction and a payroll factor under sub. (6) representing 18.5% of the fraction.

**SECTION 1675c.** 71.04 (4) (b) of the statutes is created to read:

71.04 **(4)** (b) For taxable years beginning after December 31, 2001, and before January 1, 2003, an apportionment fraction composed of a sales factor under sub. (7) representing 85% of the fraction, a property factor under sub. (5) representing 7.5% of the fraction and a payroll factor under sub. (6) representing 7.5% of the fraction.

**SECTION 1675d.** 71.04 (4) (c) of the statutes is created to read:

71.04 **(4)** (c) For taxable years beginning after December 31, 2002, an apportionment fraction composed of the sales factor under sub. (7).

**SECTION 1676.** 71.04 (5) (intro.) of the statutes is amended to read:

71.04 **(5)** PROPERTY FACTOR. (intro.) For purposes of sub. (4) and for taxable years beginning before January 1, 2003:

**SECTION 1677.** 71.04 (6) (intro.) of the statutes is amended to read:

71.04 **(6)** PAYROLL FACTOR. (intro.) For purposes of sub. (4) and for taxable years beginning before January 1, 2003:

**SECTION 1678.** 71.04 (7) (d) of the statutes is amended to read:

71.04 **(7)** (d) Sales, other than sales of tangible personal property, are in this state if the income–producing activity is performed in this state. If the income–producing activity is performed both in and outside this state the sales shall be divided between those states having jurisdiction to tax such business in proportion to the direct costs of performance incurred in each such state in rendering this service. Services performed in states which do not have jurisdiction to tax the business shall be deemed to have been performed in the state to which compensation is allocated by sub. (6). This paragraph does not apply to taxable years beginning after December 31, 1999.

**SECTION 1679.** 71.04 (7) (dc) of the statutes is created to read:

71.04 **(7)** (dc) For taxable years beginning after December 31, 1999, sales, rents, royalties, and other income from real property, and the receipts from the lease or rental of tangible personal property, are attributed to the state in which the property is located.

**SECTION 1680.** 71.04 (7) (dg) of the statutes is created to read:

71.04 **(7)** (dg) For taxable years beginning after December 31, 1999, receipts from the lease or rental of moving property including but not limited to motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are included in the

numerator of the sales factor under par. (a) to the extent that the property is used in this state. The use of moving property in this state is determined as follows:

1. The use of a motor vehicle or rolling stock in this state is determined by multiplying the gross receipts from the lease or rental of the motor vehicle or rolling stock by a fraction having as a numerator the number of miles traveled within this state by the motor vehicle or rolling stock while leased or rented in the taxable year and having as a denominator the total number of miles traveled by the motor vehicle or rolling stock while leased or rented in the taxable year.

2. The use of an aircraft in this state is determined by multiplying the gross receipts from the lease or rental of the aircraft by a fraction having as a numerator the number of landings of the aircraft in this state while leased or rented in the taxable year and having as a denominator the total number of landings of the aircraft while leased or rented in the taxable year.

3. The use of a vessel or mobile equipment in this state is determined by multiplying the gross receipts from the lease or rental of the vessel or mobile equipment by a fraction having as a numerator the number of days that the vessel or mobile equipment is in this state while leased or rented in the taxable year and having as a denominator the total number of days that the vessel or mobile equipment is leased or rented in the taxable year.

4. If the taxpayer does not know the location of moving property while such property is leased or rented in the taxable year, the moving property is used in the state in which such property is located at the time the lessee or renter takes possession of the property.

**SECTION 1681.** 71.04 (7) (dn) of the statutes is created to read:

71.04 **(7)** (dn) For taxable years beginning after December 31, 1999, gross royalties and gross income received for the use of intangible property are attributed to this state if any of the following occurs:

1. The purchaser of intangible property uses the intangible property in the production, fabrication or manufacturing of a product that is sold to a customer who is located in this state.

2. The purchaser of intangible property uses the intangible property in the printing or publication of materials that are sold to a customer who is located in this state.

3. The purchaser of intangible property uses the intangible property in the operation of a trade or business at a location in this state.

4. The purchaser of intangible property is billed for the purchase of the intangible property at a location in this state.

5. The taxpayer is not subject to income tax in the state in which the intangible property is used but the taxpayer's commercial domicile is in this state.

**SECTION 1682.** 71.04 (7) (dr) of the statutes is created to read:

71.04 **(7)** (dr) 1. For taxable years beginning after December 31, 1999, receipts from a service are attributed to the state where the purchaser of the service received the benefit of the service. The benefit of a service is received in this state if any of the following applies:

a. The service relates to real property that is located in this state.

b. The service relates to tangible personal property that is located in this state at the time that the service is received.

c. The service is provided to a person who is located in this state.

d. The service is provided to a person doing business in this state.

e. The service is performed at a location in this state.

2. If the purchaser of a service receives the benefit of a service in more than one state, the receipts from the performance of the service are included in the numerator of the sales factor under par. (a) according to the portion of the service received in this state. If the state where a purchaser received the benefit of a service cannot be determined, the benefit of a service is received in the state where the purchaser, in the regular course of the purchaser's business, ordered the service. If the state where a purchaser ordered a service cannot be determined, the benefit of the service is received in the state where the purchaser, in the regular course of the purchaser's business, receives a bill for the service.

3. If the taxpayer is not subject to income tax in the state in which the benefit of the service is received, the benefit of the service is received in this state to the extent that the taxpayer's employes or representatives performed services from a location in this state.

**SECTION 1682b.** 71.04 (7) (ds) of the statutes is created to read:

71.04 (7) **(ds)** 1. For taxable years beginning after December 31, 1999, the gate receipts from professional sporting events are attributed to the state in which the taxpayer's sports facility is located. Gate receipts include the taxpayer's in–state gate receipts and the taxpayer's share of out–of–state gate receipts.

2. For taxable years beginning after December 31, 1999, radio and television receipts received by the taxpayer from a professional sports association contract with a communications network are attributed to this state in proportion to the number of events held in this state in which the taxpayer's team is a participant and that are related to the contract compared to the total number of events in which the taxpayer's team is a participant and that are related to the contract.

**SECTION 1682c.** 71.04 (7) (dt) of the statutes is created to read:

71.04 (7) **(dt)** 1. For taxable years beginning after December 31, 1999, the gross receipts from radio and television broadcasting, including advertising revenue, are attributed to this state in proportion to the audience in this state as compared to the total audience.

2. For taxable years beginning after December 31, 1999, the gross receipts from newspapers and magazines, including advertising revenue, are attributed to this state in proportion to the circulation in this state as compared to the total circulation.

**SECTION 1682d.** 71.04 (7) (dw) of the statutes is created to read:

71.04 **(7)** (dw) 1. Except as provided in subds. 2. and 3., if a person doing business in this state and outside this state owns a business that is subject to apportionment under sub. (4) or s. 71.25 (6) and a business that is subject to apportionment under sub. (8), the person shall apportion income as provided under sub. (4) or s. 71.25 (6).

2. A person who has filed a tax return and who has reported income on the return as apportioned under subd. 1 may request permission from the department to use an alternative apportionment method in the next taxable year, if the person receives at least 50% of the person's total gross receipts in a taxable year from a business described under sub. (8) (c). If the department grants permission to a person to use an alternative apportionment method under this subdivision, the person may not use the alternative method, and shall apportion income under subd. 1., if the person receives less than 50% of the person's total gross receipts in a taxable year from a business described under sub. (8) (c).

3. The department may require that a person who is subject to apportionment under this subsection use an alternative apportionment method to accurately reflect income that is attributable to this state.

**SECTION 1682m.** 71.04 (8) (title) of the statutes is amended to read:

71.04 **(8)** (title) RAILROADS, ~~FINANCIAL ORGANIZATIONS~~ TELECOMMUNICATIONS COMPANIES AND PUBLIC UTILITIES.

**SECTION 1682n.** 71.04 (8) (a) of the statutes is amended to read:

71.04 **(8)** (a) "Financial organization", as used in this section, means any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, credit union, cooperative bank, small loan company, sales finance company, investment company, brokerage house, underwriter or any type of insurance company. This paragraph does not apply to taxable years beginning after December 31, 1999.

**SECTION 1682p.** 71.04 (8) (c) of the statutes is amended to read:

71.04 **(8)** (c) The net business income of railroads, sleeping car companies, car line companies, financial organizations, telecommunications companies and public utilities requiring apportionment shall be apportioned pursuant to rules of the department of revenue, but the income taxed is limited to the income derived from business transacted and property located within the state. For taxable years beginning after December 31, 1999, the net business income of financial organizations shall be apportioned under s. 71.25 (9d).

**SECTION 1682r.** 71.04 (10) of the statutes is amended to read:

71.04 **(10)** DEPARTMENT MAY WAIVE FACTOR. Where, in the case of any nonresident individual or nonresident estate or trust engaged in business within and without the state of Wisconsin and required to apportion its income as provided in this section,

it shall be shown to the satisfaction of the department of revenue that the use of any one of the 3 factors provided under sub. (4) gives an unreasonable or inequitable final average ratio because of the fact that such nonresident individual or nonresident estate or trust does not employ, to any appreciable extent in its trade or business in producing the income taxed, the factors made use of in obtaining such ratio, this factor may, with the approval of the department of revenue, be omitted in obtaining the final average ratio which is to be applied to the remaining net income. This subsection does not apply to taxable years beginning after December 31, 2002.

**SECTION 1683.** 71.05 (1) (c) 2. of the statutes is amended to read:

71.05 **(1)** (c) 2. The Wisconsin housing and economic development authority, if the bonds are to fund a loan under s. 234.935, 1997 stats.

**SECTION 1684.** 71.05 (6) (a) 12. of the statutes is amended to read:

71.05 **(6)** (a) 12. ~~All alimony deducted for federal income tax purposes and paid while the individual paying the alimony was a nonresident of this state; all~~ All penalties for early withdrawals from time savings accounts and deposits deducted for federal income tax purposes and paid while the individual charged with the penalty was a nonresident of this state; ~~all repayments of supplemental unemployment benefit plan payments deducted for federal income tax purposes and made while the individual making the repayment was a nonresident of this state;~~ all reforestation expenses related to property not in this state, deducted for federal income tax purposes and paid while the individual paying the expense was not a resident of this state; all contributions to individual retirement accounts, simplified employe pension plans and self–employment retirement plans and all deductible employe contributions, deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's wages and

net earnings from a trade or business taxable by this state and the denominator of which is the individual's total wages and net earnings from a trade or business; the contributions to a Keogh plan deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or business; the amount of health insurance costs of self–employed individuals deducted under section 162 (L) of the internal revenue code for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or business; and the amount of self–employment taxes deducted under section 164 (f) of the internal revenue code for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or a business.

**SECTION 1684d.** 71.05 (6) (a) 15. of the statutes is amended to read:

71.05 **(6)** (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx)<u>, (2dy)</u> and (3s) and not passed through by a partnership, limited liability company or tax–option corporation that has added that amount to the partnership's, company's or tax–option corporation's income under s. 71.21 (4) or 71.34 (1) (g).

**SECTION 1686.** 71.05 (6) (b) 23. of the statutes is amended to read:

71.05 **(6)** (b) 23. Any increase in value of a tuition unit that is purchased under a tuition contract under s. ~~16.24~~ <u>14.63</u>.

**SECTION 1686m.** 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 **(6)** (b) 28. (intro.) An amount paid by a claimant for tuition expenses for a student who is the claimant or who is the claimant's child and the claimant's dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. ~~39.51~~ 45.54, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under the Minnesota–Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

**SECTION 1687.** 71.05 (6) (b) 28. e. of the statutes is amended to read:

71.05 **(6)** (b) 28. e. For an individual who is a nonresident or part–year resident of this state, multiply the amount calculated under subd. 28. a., b., c. or d. by a fraction the numerator of which is the individual's wages, salary, tips, unearned income and net earnings from a trade or business that are taxable by this state and the denominator of which is the individual's total wages, salary, tips, unearned income and net earnings from a trade or business. In this subd. 28. e., for married persons filing separately "wages, salary, tips, unearned income and net earnings from a trade or business" means the separate wages, salary, tips, unearned income and net earnings from a trade or business of each spouse, and for married persons filing jointly "wages, salary, tips, unearned income and net earnings from a trade or business" means the total wages, salary, tips, unearned income and net earnings from a trade or business of both spouses.

**SECTION 1688.** 71.05 (6) (b) 28. f. of the statutes is amended to read:

71.05 **(6)** (b) 28. f. Reduce the amount calculated under subd. 28. a., b., c., d. or e. to the individual's aggregate wages, salary, tips, unearned income and net earnings from a trade or business that are taxable by this state.

**SECTION 1688d.** 71.05 (6) (b) 29. of the statutes is created to read:

71.05 **(6)** (b) 29. The amount claimed as a federal miscellaneous itemized deduction under the Internal Revenue Code for repayment of an amount included in income in a previous year to the extent that the repayment was previously included in Wisconsin adjusted gross income, except that no amount that is used in calculating the credit under s. 71.07 (1) may be included in the calculation under this subdivision.

**SECTION 1689.** 71.05 (22) (dm) of the statutes is amended to read:

71.05 **(22)** (dm) *Deduction limits; 1994* ~~*and thereafter*~~ *to 1999*. Except as provided in par. (f), for taxable years beginning ~~on or after January 1, 1994~~ after December 31, 1993, and before January 1, 2000, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than $7,500, the standard deduction is $5,200. For a single individual who has a Wisconsin adjusted gross income of at least $7,500 ~~but not more than $50,830~~, the standard deduction is the amount obtained by subtracting from $5,200 12% of Wisconsin adjusted gross income in excess of $7,500 but not less than $0. ~~For a single individual who has a Wisconsin adjusted gross income of more than $50,830, the standard deduction is $0.~~ For a head of household who has a Wisconsin adjusted gross income of less than $7,500, the standard deduction is $7,040. For a head of household who has a Wisconsin adjusted gross income of at least $7,500 ~~but not more than $25,000~~, the standard deduction is the amount obtained by subtracting from $7,040 22.515% of Wisconsin adjusted gross income in excess of $7,500 but not less than $0, until the adjusted gross income amount at which the standard deduction is equal to the standard deduction for a single individual at the same adjusted gross income amount. For a head of household

who has a Wisconsin adjusted gross income of more than ~~$25,000~~ this amount, the standard deduction shall be calculated as if the head of household were a single individual. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than $10,000, the standard deduction is $8,900. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least $10,000 ~~but not more than $55,000~~, the standard deduction is the amount obtained by subtracting from $8,900 19.778% of aggregate Wisconsin adjusted gross income in excess of $10,000 but not less than $0. ~~For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of more than $55,000, the standard deduction is $0.~~ For a married individual filing separately who has a Wisconsin adjusted gross income of less than $4,750, the standard deduction is $4,230. For a married individual filing separately who has a Wisconsin adjusted gross income of at least $4,750 ~~but not more than $26,140~~, the standard deduction is the amount obtained by subtracting from $4,230 19.778% of Wisconsin adjusted gross income in excess of $4,750 but not less than $0. ~~For a married individual filing separately who has a Wisconsin adjusted gross income of more than $26,140, the standard deduction is $0.~~ The secretary of revenue shall prepare a table under which deductions under this paragraph shall be determined. That table shall be published in the department's instructional booklets.

**SECTION 1690.** 71.05 (22) (dp) of the statutes is created to read:

71.05 **(22)** (dp) *Deduction limits, 2000 and thereafter.* Except as provided in par. (f), for taxable years beginning after December 31, 1999, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than $10,380, the standard deduction is $7,200. For a single individual who has a Wisconsin adjusted

gross income of at least $10,380, the standard deduction is the amount obtained by subtracting from $7,200 12% of Wisconsin adjusted gross income in excess of $10,380 but not less than $0. For a head of household who has a Wisconsin adjusted gross income of less than $10,380, the standard deduction is $9,300. For a head of household who has a Wisconsin adjusted gross income of at least $10,380, the standard deduction is the amount obtained by subtracting from $9,300 22.515% of Wisconsin adjusted gross income in excess of $10,380, but not less than $0, until the adjusted gross income amount at which the standard deduction is equal to the standard deduction for a single individual at the same adjusted gross income amount. For a head of household who has a Wisconsin adjusted gross income of more than this amount, the standard deduction shall be calculated as if the head of household were a single individual. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than $14,570, the standard deduction is $12,970. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least $14,570, the standard deduction is the amount obtained by subtracting from $12,970 19.778% of aggregate Wisconsin adjusted gross income in excess of $14,570 but not less than $0. For a married individual filing separately who has a Wisconsin adjusted gross income of less than $6,920, the standard deduction is $6,160. For a married individual filing separately who has a Wisconsin adjusted gross income of at least $6,920, the standard deduction is the amount obtained by subtracting from $6,160 19.778% of Wisconsin adjusted gross income in excess of $6,920 but not less than $0. The secretary of revenue shall prepare a table under which deductions under this paragraph shall be determined. That table shall be published in the department's instructional booklets.

**SECTION 1691.** 71.05 (22) (ds) of the statutes is amended to read:

71.05 **(22)** (ds) *Standard deduction indexing.* For taxable years beginning after December 31, 1998, and before January 1, 2000, the dollar amounts of the standard deduction that is allowable under par. (dm) and all of the dollar amounts of Wisconsin adjusted gross income under par. (dm) shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts required under this paragraph and incorporate the changes into the income tax forms and instructions.

**SECTION 1691c.** 71.05 (22) (dt) of the statutes is created to read:

71.05 **(22)** (dt) *Standard deduction indexing, 2001 and thereafter.* For taxable years beginning after December 31, 2000, the dollar amounts of the standard deduction that is allowable under par. (dp) and all of the dollar amounts of Wisconsin adjusted gross income under par. (dp) shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 1999, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5,

such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts required under this paragraph and incorporate the changes into the income tax forms and instructions.

**SECTION 1692.** 71.05 (22) (f) 4. b. of the statutes is amended to read:

71.05 **(22)** (f) 4. b. The standard deduction that may be claimed by an individual under par. (dm) <u>or (dp)</u>, based on the individual's filing status.

**SECTION 1693.** 71.05 (23) of the statutes is created to read:

71.05 **(23)** PERSONAL EXEMPTIONS. In computing Wisconsin taxable income, an individual taxpayer may subtract the following amounts:

(a) For taxable years that begin after December 31, 1999, and before January 1, 2001:

1. A personal exemption of $600 if the taxpayer is required to file a return under s. 71.03 (2) (a) 1. or 2. and $600 for the taxpayer's spouse, except if the spouse is filing separately or as a head of household.

2. An exemption of $600 for each individual for whom the taxpayer is entitled to an exemption for the taxable year under section 151 (c) of the Internal Revenue Code.

3. An additional exemption of $200 if the taxpayer has reached the age of 65 before the close of the taxable year to which his or her tax return relates and $200 for the taxpayer's spouse if he or she has reached the age of 65 before the close of the taxable year to which his or her tax return relates, except if the spouse is filing separately or as a head of household.

(b) For taxable years that begin after December 31, 2000:

1. A personal exemption of $700 if the taxpayer is required to file a return under s. 71.03 (2) (a) 1. or 2. and $700 for the taxpayer's spouse, except if the spouse is filing separately or as a head of household.

2. An exemption of $700 for each individual for whom the taxpayer is entitled to an exemption for the taxable year under section 151 (c) of the Internal Revenue Code.

3. An additional exemption of $250 if the taxpayer has reached the age of 65 before the close of the taxable year to which his or her tax return relates and $250 for the taxpayer's spouse if he or she has reached the age of 65 before the close of the taxable year to which his or her tax return relates, except if the spouse is filing separately or as a head of household.

(c) With respect to persons who change their domicile into or from this state during the taxable year and nonresident persons, personal exemptions under pars. (a) and (b) shall be limited to the fraction of the amount so determined that Wisconsin adjusted gross income is of federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If a person and that person's spouse are not both domiciled in this state during the entire taxable year, their personal exemptions on a joint return are determined by multiplying the personal exemption that would be available to each of them if they were both domiciled in this state during the entire taxable year by a fraction the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

**SECTION 1694.** 71.06 (1m) (intro.) of the statutes is amended to read:

71.06 **(1m)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; ~~AFTER~~ 1997 TO 1999. (intro.) The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals and heads of households shall be computed at the following rates for taxable years beginning after December 31, 1997, and before January 1, 2000:

**SECTION 1695.** 71.06 (1n) of the statutes is created to read:

71.06 **(1n)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; 2000. The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals and heads of households shall be computed at the following rates for taxable years beginning after December 31, 1999, and before January 1, 2001:

(a) On all taxable income from $0 to $7,500, 4.73%.

(b) On all taxable income exceeding $7,500 but not exceeding $15,000, 6.33%.

(c) On all taxable income exceeding $15,000 but not exceeding $112,500, 6.55%.

(d) On all taxable income exceeding $112,500, 6.75%.

**SECTION 1696.** 71.06 (1p) of the statutes is created to read:

71.06 **(1p)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; AFTER 2000. The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals and heads of households shall be computed at the following rates for taxable years beginning after December 31, 2000:

(a) On all taxable income from $0 to $7,500, 4.6%.

(b) On all taxable income exceeding $7,500 but not exceeding $15,000, 6.15%.

(c) On all taxable income exceeding $15,000 but not exceeding $112,500, 6.5%.

(d) On all taxable income exceeding $112,500, 6.75%.

**SECTION 1697.** 71.06 (2) (c) (intro.) of the statutes is amended to read:

71.06 **(2)** (c) (intro.) For joint returns, for taxable years beginning after December 31, 1997, and before January 1, 2000:

**SECTION 1698.** 71.06 (2) (d) (intro.) of the statutes is amended to read:

71.06 **(2)** (d) (intro.) For married persons filing separately, for taxable years beginning after December 31, 1997, and before January 1, 2000:

**SECTION 1699.** 71.06 (2) (e) of the statutes is created to read:

71.06 **(2)** (e) For joint returns, for taxable years beginning after December 31, 1999, and before January 1, 2001:

1. On all taxable income from $0 to $10,000, 4.73%.
2. On all taxable income exceeding $10,000 but not exceeding $20,000, 6.33%.
3. On all taxable income exceeding $20,000 but not exceeding $150,000, 6.55%.
4. On all taxable income exceeding $150,000, 6.75%.

**SECTION 1700.** 71.06 (2) (f) of the statutes is created to read:

71.06 **(2)** (f) For married persons filing separately, for taxable years beginning after December 31, 1999, and before January 1, 2001:

1. On all taxable income from $0 to $5,000, 4.73%.
2. On all taxable income exceeding $5,000 but not exceeding $10,000, 6.33%.
3. On all taxable income exceeding $10,000 but not exceeding $75,000, 6.55%.
4. On all taxable income exceeding $75,000, 6.75%.

**SECTION 1701.** 71.06 (2) (g) of the statutes is created to read:

71.06 **(2)** (g) For joint returns, for taxable years beginning after December 31, 2000:

1. On all taxable income from $0 to $10,000, 4.6%.

2. On all taxable income exceeding $10,000 but not exceeding $20,000, 6.15%.

3. On all taxable income exceeding $20,000 but not exceeding $150,000, 6.5%.

4. On all taxable income exceeding $150,000, 6.75%.

**SECTION 1702.** 71.06 (2) (h) of the statutes is created to read:

71.06 **(2)** (h) For married persons filing separately, for taxable years beginning after December 31, 2000:

1. On all taxable income from $0 to $5,000, 4.6%.

2. On all taxable income exceeding $5,000 but not exceeding $10,000, 6.15%.

3. On all taxable income exceeding $10,000 but not exceeding $75,000, 6.5%.

4. On all taxable income exceeding $75,000, 6.75%.

**SECTION 1703.** 71.06 (2e) of the statutes is amended to read:

71.06 **(2e)** BRACKET INDEXING. For taxable years beginning after December 31, 1998, <u>and before January 1, 2000,</u> the maximum dollar amount in each tax bracket, and the corresponding minimum dollar amount in the next bracket, under subs. (1m) and (2) (c) and (d)<u>, and for taxable years beginning after December 31, 1999, the maximum dollar amount in each tax bracket, and the corresponding minimum dollar amount in the next bracket, under subs. (1n), (1p) and (2) (e), (f), (g) and (h),</u> shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August ~~of the year before the previous year~~ <u>1997</u>, as determined by the federal department of labor<u>, except that for taxable years beginning after December 31, 2000, the dollar amount in the top bracket under subs. (1p) (c) and (d), (2) (g) 3. and 4. and (h) 3. and 4. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price</u>

index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 1999, as determined by the federal department of labor. Each amount that is revised under this subsection shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts required under this subsection and incorporate the changes into the income tax forms and instructions.

**SECTION 1704.** 71.06 (2m) of the statutes is amended to read:

71.06 **(2m)** RATE CHANGES. If a rate under sub. (1), (1m), (1n), (1p) or (2) changes during a taxable year, the taxpayer shall compute the tax for that taxable year by the methods applicable to the federal income tax under section 15 of the internal revenue code.

**SECTION 1705.** 71.06 (2s) (b) of the statutes is amended to read:

71.06 **(2s)** (b) For taxable years beginning after December 31, 1997, and before January 1, 2000, with respect to nonresident individuals, including individuals changing their domicile into or from this state, the tax brackets under subs. (1m) and (2) (c) and (d) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If an individual and that individual's spouse are not both domiciled in this state during the entire taxable year, the tax brackets under subs. (1m) and

(2) (c) and (d) on a joint return shall be multiplied by a fraction, the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

**SECTION 1706.** 71.06 (2s) (c) of the statutes is created to read:

71.06 **(2s)** (c) For taxable years beginning after December 31, 1999, and before January 1, 2001, with respect to nonresident individuals, including individuals changing their domicile into or from this state, the tax brackets under subs. (1n) and (2) (e) and (f) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If an individual and that individual's spouse are not both domiciled in this state during the entire taxable year, the tax brackets under subs. (1n) and (2) (e) and (f) on a joint return shall be multiplied by a fraction, the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

**SECTION 1707.** 71.06 (2s) (d) of the statutes is created to read:

71.06 **(2s)** (d) For taxable years beginning after December 31, 2000, with respect to nonresident individuals, including individuals changing their domicile into or from this state, the tax brackets under subs. (1p) and (2) (g) and (h) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted

gross income" means the total adjusted gross income of both spouses. If an individual and that individual's spouse are not both domiciled in this state during the entire taxable year, the tax brackets under subs. (1p) and (2) (g) and (h) on a joint return shall be multiplied by a fraction, the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

**SECTION 1707t.** 71.07 (2dj) (am) 1. of the statutes is amended to read:

71.07 **(2dj)** (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code as amended to December 31, 1995, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC 2801 (9), and to require a member of a targeted group to be a resident of this state.

**SECTION 1707v.** 71.07 (2dj) (am) 2. of the statutes is amended to read:

71.07 **(2dj)** (am) 2. Modify "designated local agency", as defined in section 51 (d) (15) of the internal revenue code, to include the ~~job training partnership act organization~~ local workforce development board established under 29 USC 2832 for the area that includes the development zone in which the employe in respect to whom the credit under this subsection is claimed works, if the department of commerce approves the criteria used for certification, and the department of commerce.

**SECTION 1708.** 71.07 (2dj) (am) 3. of the statutes is amended to read:

71.07 **(2dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A) of the internal revenue code to allow certification within the ~~90–day~~ period beginning with the first day of employment of the employe ~~by the claimant~~.

**SECTION 1708g.** 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

71.07 **(2dx)** (b) *Credit.* (intro.) Except as provided in s. 73.03 (35) and subject to s. 560.785, for any taxable year for which the person is certified under s. 560.765 (3), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone the following amounts:

**SECTION 1709.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full–time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj), in ~~a~~ an enterprise development zone under s. 560.797 and ~~filled by a member of a targeted group~~ for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

**SECTION 1709c.** 71.07 (2dy) of the statutes is created to read:

71.07 **(2dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In this subsection:

1. "Brownfield" has the meaning given in sub. (2dx) (a) 1.

2. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield and investigation unless the investigation determines that remediation is required but remediation is not undertaken.

(b) *Credit.* For any taxable year for which the person is certified under s. 292.77 (5), a person may claim as a credit against taxes imposed under this subchapter 50% of the amount expended for environmental remediation under the program under s. 292.77.

(c) *Administration.* Subsection (2dx) (c), (d) and (e), as it applies to the credit under sub. (2dx), applies to the credit under this subsection.

**SECTION 1710d.** 71.07 (3m) (a) 1. b. of the statutes is amended to read:

71.07 **(3m)** (a) 1. b. For partnerships except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1g), or limited liability companies, except limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1g), "claimant" means each individual partner or member.

**SECTION 1711.** 71.07 (5) (a) 7. of the statutes is created to read:

71.07 **(5)** (a) 7. Miscellaneous itemized deductions under the Internal Revenue Code, without regard to whether such deductions are subject to the 2% floor as described in section 67 of the Internal Revenue Code, except that the general prohibition in this subdivision does not apply to dues paid to a professional society or a labor union.

**SECTION 1712.** 71.07 (5) (a) 8. of the statutes is created to read:

71.07 **(5)** (a) 8. Any employment–related educational expense that is claimed as an itemized deduction under the Internal Revenue Code to the extent that such an amount is also claimed as a subtract modification under s. 71.05 (6) (b) 28.

**SECTION 1713.** 71.07 (5m) (e) of the statutes is created to read:

71.07 **(5m)** (e) *Sunset.* No new claim may be filed under this subsection for a taxable year that begins after December 31, 1999.

**SECTION 1714.** 71.07 (6) (am) 2. c. of the statutes is amended to read:

71.07 **(6)** (am) 2. c. For taxable years beginning after December 31, 1999, and before January 1, 2001, 2.75% of the earned income of the spouse with the lower earned income, but not more than ~~$385~~ $440.

**SECTION 1715.** 71.07 (6) (am) 2. d. of the statutes is amended to read:

71.07 **(6)** (am) 2. d. For taxable years beginning after December 31, 2000, 3% of the earned income of the spouse with the lower earned income, but not more than ~~$420~~ $480.

**SECTION 1716.** 71.07 (8) (d) of the statutes is created to read:

71.07 **(8)** (d) No new claim may be filed under this subsection for a taxable year that begins after December 31, 1999.

**SECTION 1717.** 71.07 (9) (g) of the statutes is created to read:

71.07 **(9)** (g) No new claim may be filed under this subsection for a taxable year that begins after December 31, 1999.

**SECTION 1719b.** 71.07 (9e) (f) of the statutes is amended to read:

71.07 **(9e)** (f) Except as provided in s. 71.80 (3) and (3m), if the allowable amount of the claim under this subsection exceeds the taxes otherwise due under this chapter or no taxes are due under this chapter, the amount of the claim not used to offset taxes due shall be certified by the department of revenue to the department of administration for payment by check, share draft or other draft drawn from the appropriation under s. 20.835 (2) (f) or (kf).

**SECTION 1719d.** 71.07 (10) of the statutes is amended to read:

71.07 **(10)** CREDITS NOT ALLOWED. The credits under s. 71.28 (4) and (5) may not be claimed by partners, including partners of a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1g), members of a limited liability company, including members of a limited liability company treated as a corporation under s. 77.22 ~~(1)~~ (1g), or shareholders of a tax–option corporation.

**SECTION 1719g.** 71.08 (1) (intro.) of the statutes is amended to read:

71.08 **(1)** IMPOSITION. (intro.) If the tax imposed on a natural person, married couple filing jointly, trust or estate under s. 71.02, not considering the credits under

ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy), (2fd), (3m), (3s), (6) and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) and (3) and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) and (3) and subchs. VIII and IX and payments to other states under s. 71.07 (7), is less than the tax under this section, there is imposed on that natural person, married couple filing jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax computed as follows:

**SECTION 1719m.** 71.10 (4) (gv) of the statutes is created to read:

71.10 **(4)** (gv) Sustainable urban development zone credit under s. 71.07 (2dy).

**SECTION 1720m.** 71.10 (5) (am) of the statutes is created to read:

71.10 **(5)** (am) *Gray wolf as endangered or threatened species.* For purposes of the part of the endangered resources program that provides for wildlife damage control and the payments of claims for damage associated with endangered or threatened species, the gray wolf shall be considered an endangered or threatened species regardless of whether it is listed as endangered or threatened under s. 29.604 (3).

**SECTION 1721.** 71.125 of the statutes is amended to read:

**71.125 Imposition of tax. (1)** Except as provided in sub. (2), the tax imposed by this chapter on individuals and the rates under s. 71.06 (1), (1m), (1n), (1p) and (2) shall apply to the Wisconsin taxable income of estates or trusts, except nuclear decommissioning trust or reserve funds, and that tax shall be paid by the fiduciary.

**(2)** Each electing small business trust, as defined in section 1361 (e) (1) of the Internal Revenue Code, is subject to tax at the highest rate under s. 71.06 (1) ~~or under s. 71.06,~~ (1m), (1n) or (1p), whichever taxable year is applicable, on its income as

computed under section 641 of the Internal Revenue Code, as modified by s. 71.05 (6) to (12), (19) and (20).

**SECTION 1721et.** 71.14 (3) (intro.) of the statutes is amended to read:

71.14 **(3)** (intro.) Except as provided in sub. (2) and s. 71.04 (1) (b) 2., ~~trusts created by contract, declaration of trust or implication of law shall be considered resident at the place where the trust is being administered. The following trusts shall be considered to be administered in the state of domicile of the corporate trustee of the trust at any time that the grantor of the trust is not a resident of this state~~ and subject to sub. (3m), only the following trusts, or portions of trusts, shall be considered resident of this state:

**SECTION 1721ft.** 71.14 (3) (a) of the statutes is amended to read:

71.14 **(3)** (a) Trusts ~~that have any assets invested in a common trust fund, as defined in section 584 of the internal revenue code, maintained by a bank or trust company domiciled in this state that is a member of the same affiliated group, as defined in section 1504 of the internal revenue code, as the corporate trustee~~ the assets of which consist of property placed in the trust by a person who is a resident of this state at the time the property was placed in the trust if, at the time the assets were placed in the trust, the trust was irrevocable.

**SECTION 1721gt.** 71.14 (3) (b) of the statutes is amended to read:

71.14 **(3)** (b) ~~Trusts~~ Irrevocable trusts, the assets of which ~~in whole or in part are managed, or about which investment decisions are made, by a corporation domiciled in this state if that corporation and the corporate trustee are members of the same affiliated group, as defined in section 1504 of the internal revenue code~~ consist of property placed in the trust by a person who is a resident of this state at

the time that the trust became irrevocable if, at the time the property was placed in the trust, the trust was revocable.

**SECTION 1721ht.** 71.14 (3m) of the statutes is created to read:

71.14 **(3m)** A trust described under sub. (3):

(a) Is revocable if the person whose property constitutes the trust may revest title to the property in that person.

(b) Is irrevocable if the power to revest title, as described in par. (a), does not exist.

**SECTION 1722.** 71.17 (6) of the statutes is amended to read:

71.17 **(6)** FUNERAL TRUSTS. If a qualified funeral trust makes the election under section 685 of the Internal Revenue Code for federal income tax purposes, that election applies for purposes of this chapter and each trust shall compute its own tax and shall apply the rates under s. 71.06 (1) ~~and~~, (1m), (1n) or (1p).

**SECTION 1722b.** 71.195 of the statutes is amended to read:

**71.195 Definition.** In this subchapter, "partnership" includes limited liability companies and other entities that are treated as partnerships under the Internal Revenue Code, and "partnership" does not include publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1g).

**SECTION 1722bd.** 71.21 (4) of the statutes is amended to read:

71.21 **(4)** Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2ds), (2dx), (2dy) and (3s) and passed through to partners shall be added to the partnership's income.

**SECTION 1722be.** 71.22 (1) of the statutes is renumbered 71.22 (1g).

**SECTION 1722c.** 71.22 (1d) of the statutes is created to read:

71.22 **(1d)** "Commercial domicile" means the location of a trade or business from which the trade or business is principally managed in the United States, regardless of whether the trade or business is organized under the laws of a foreign country, the commonwealth of Puerto Rico or any territory or possession of the United States. The location of the taxpayer's trade or business at which the greatest number of the taxpayer's employes work or are regularly connected, as of the last day of the taxable year, is rebuttably presumed to be the taxpayer's commercial domicile.

**SECTION 1722cd.** 71.22 (1r) of the statutes is created to read:

71.22 **(1r)** "Doing business" includes owning a direct or indirect interest in a general or limited partnership or limited liability company that transacts in this state for pecuniary gain.

**SECTION 1722ce.** 71.22 (3g) of the statutes is created to read:

71.22 **(3g)** "Intangible property" includes patents, copyrights, trademarks, trade names, service names, service marks, logos, franchises, licenses, plans, specifications, blueprints, processes, techniques, formulas, designs, layouts, patterns, drawings, manuals, customer lists, contracts, technical know–how and trade secrets. "Intangible property" does not include securities.

**SECTION 1722d.** 71.22 (4) (e) of the statutes is repealed.

**SECTION 1722e.** 71.22 (4) (f) of the statutes is amended to read:

71.22 **(4)** (f) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1990, and before January 1, 1992, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and

as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722f**. 71.22 (4) (g) of the statutes is amended to read:

71.22 **(4)** (g) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1991, and before January 1, 1993, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L.

105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722g**. 71.22 (4) (h) of the statutes is amended to read:

71.22 **(4)** (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1992, and before January 1, 1994, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66,

excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465. P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722h**. 71.22 (4) (i) of the statutes is amended to read:

71.22 **(4)** (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1993, and before January 1, 1995, means the federal

~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding

section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722i**. 71.22 (4) (j) of the statutes is amended to read:

71.22 **(4)** (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1994, and before January 1, 1996, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996,

except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722j**. 71.22 (4) (k) of the statutes is amended to read:

71.22 **(4)** (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1995, and before January 1, 1997, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The

~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722k**. 71.22 (4) (L) of the statutes is amended to read:

71.22 **(4)** (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1996, and before January 1, 1998, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L.

102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722L.** 71.22 (4) (m) of the statutes is amended to read:

71.22 **(4)** (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1997, and before January 1, 1999, means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.

101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722m.** 71.22 (4) (n) of the statutes is created to read:

71.22 **(4)** (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1998, means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and

110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

**SECTION 1722n**. 71.22 (4m) (c) of the statutes is repealed.

**SECTION 1722p**. 71.22 (4m) (d) of the statutes is amended to read:

71.22 **(4m)** (d) For taxable years that begin after December 31, 1990, and before January 1, 1992, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after

December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722q**. 71.22 (4m) (e) of the statutes is amended to read:

71.22 **(4m)** (e) For taxable years that begin after December 31, 1991, and before January 1, 1993, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years

beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722r**. 71.22 (4m) (f) of the statutes is amended to read:

71.22 **(4m)** (f) For taxable years that begin after December 31, 1992, and before January 1, 1994, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal

Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722s**. 71.22 (4m) (g) of the statutes is amended to read:

71.22 **(4m)** (g) For taxable years that begin after December 31, 1993, and before January 1, 1995, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311

of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722t**. 71.22 (4m) (h) of the statutes is amended to read:

71.22 **(4m)** (h) For taxable years that begin after December 31, 1994, and before January 1, 1996, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,

P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722u.** 71.22 (4m) (i) of the statutes is amended to read:

71.22 **(4m)** (i) For taxable years that begin after December 31, 1995, and before January 1, 1997, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188,

P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, PL. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722v.** 71.22 (4m) (j) of the statutes is amended to read:

71.22 **(4m)** (j) For taxable years that begin after December 31, 1996, and before January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and

110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188 and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722w.** 71.22 (4m) (k) of the statutes is amended to read:

71.22 **(4m)** (k) For taxable years that begin after December 31, 1997, and before January 1, 1999, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203

(d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1722x.** 71.22 (4m) (L) of the statutes is created to read:

71.22 **(4m)** (L) For taxable years that begin after December 31, 1998, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.

100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

**SECTION 1722y.** 71.23 (1) of the statutes is amended to read:

71.23 **(1)** INCOME TAX. For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax as provided under this chapter on all Wisconsin net incomes of corporations ~~which~~ <u>that</u> are not subject to the franchise tax under sub. (2) and ~~which~~ <u>that</u> own property within this state<u>; that derive income from sources within this state or from activities that are attributable to this state;</u> or whose business within this state during the taxable year, except as provided under sub. (3), consists exclusively of foreign commerce, interstate commerce, or both; except as exempted under s. 71.26 (1). This section shall not be construed to prevent or affect the correction of errors or omissions in the assessments of income for former years under s. 71.74 (1) and (2).

**SECTION 1729.** 71.25 (6) of the statutes is renumbered 71.25 (6) (intro) and amended to read:

71.25 **(6)** ALLOCATION AND SEPARATE ACCOUNTING AND APPORTIONMENT FORMULA. (intro.) Corporations engaged in business within and without the state shall be taxed

only on such income as is derived from business transacted and property located within the state. The amount of such income attributable to Wisconsin may be determined by an allocation and separate accounting thereof, when the business of such corporation within the state is not an integral part of a unitary business, but the department of revenue may permit an allocation and separate accounting in any case in which it is satisfied that the use of such method will properly reflect the income taxable by this state. In all cases in which allocation and separate accounting is not permissible, the determination shall be made in the following manner: for all businesses except financial organizations, public utilities, railroads, sleeping car companies, car line companies and corporations or associations that are subject to a tax on unrelated business income under s. 71.26 (1) (a) there shall first be deducted from the total net income of the taxpayer the part thereof (less related expenses, if any) that follows the situs of the property ~~or the residence of the recipient. The~~. Except as provided in subs. (9d) and (9g), the remaining net income shall be apportioned to ~~Wisconsin~~ this state by use of ~~an apportionment fraction composed of a sales factor under sub. (9) representing 50% of the fraction, a property factor under sub. (7) representing 25% of the fraction and a payroll factor under sub. (8) representing 25% of the fraction.~~ the following:

**SECTION 1729b.** 71.25 (6) (a) of the statutes is created to read:

71.25 **(6)** (a) For taxable years beginning after December 31, 2000, and before January 1, 2002, an apportionment fraction composed of a sales factor under sub. (9) representing 63% of the fraction, a property factor under sub. (7) representing 18.5% of the fraction and a payroll factor under sub. (8) representing 18.5% of the fraction.

**SECTION 1729c.** 71.25 (6) (b) of the statutes is created to read:

71.25 **(6)** (b) For taxable years beginning after December 31, 2001, and before January 1, 2003, an apportionment fraction composed of a sales factor under sub. (9) representing 85% of the fraction, a property factor under sub. (7) representing 7.5% of the fraction and a payroll factor under sub. (8) representing 7.5% of the fraction.

**SECTION 1729d.** 71.25 (6) (c) of the statutes is created to read:

71.25 **(6)** (c) For taxable years beginning after December 31, 2002, an apportionment fraction composed of the sales factor under sub. (9).

**SECTION 1730.** 71.25 (7) (intro.) of the statutes is amended to read:

71.25 **(7)** PROPERTY FACTOR. (intro.) For purposes of sub. (5) <u>and for taxable years beginning before January 1, 2003</u>:

**SECTION 1731.** 71.25 (8) (intro.) of the statutes is amended to read:

71.25 **(8)** PAYROLL FACTOR. (intro.) For purposes of sub. (5) <u>and for taxable years beginning before January 1, 2003</u>:

**SECTION 1732.** 71.25 (9) (d) of the statutes is amended to read:

71.25 **(9)** (d) Sales, other than sales of tangible personal property, are in this state if the income–producing activity is performed in this state. If the income–producing activity is performed both in and outside this state the sales shall be divided between those states having jurisdiction to tax such business in proportion to the direct costs of performance incurred in each such state in rendering this service. Services performed in states which do not have jurisdiction to tax the business shall be deemed to have been performed in the state to which compensation is allocated by sub. (8). <u>This paragraph does not apply to taxable years beginning after December 31, 1999.</u>

**SECTION 1733.** 71.25 (9) (dc) of the statutes is created to read:

71.25 **(9)** (dc) For taxable years beginning after December 31, 1999, sales, rents, royalties, and other income from real property, and the receipts from the lease or rental of tangible personal property are attributed to the state in which the property is located.

**SECTION 1734.** 71.25 (9) (dg) of the statutes is created to read:

71.25 **(9)** (dg) For taxable years beginning after December 31, 1999, receipts from the lease or rental of moving property including but not limited to motor vehicles, rolling stock, aircraft, vessels, or mobile equipment are included in the numerator of the sales factor under par. (a) to the extent that the property is used in this state. The use of moving property in this state is determined as follows:

1. The use of a motor vehicle or rolling stock in this state is determined by multiplying the gross receipts from the lease or rental of the motor vehicle or rolling stock by a fraction having as a numerator the number of miles traveled within this state by the motor vehicle or rolling stock while leased or rented in the taxable year and having as a denominator the total number of miles traveled by the motor vehicle or rolling stock while leased or rented in the taxable year.

2. The use of an aircraft in this state is determined by multiplying the gross receipts from the lease or rental of the aircraft by a fraction having as a numerator the number of landings of the aircraft in this state while leased or rented in the taxable year and having as a denominator the total number of landings of the aircraft while leased or rented in the taxable year.

3. The use of a vessel or mobile equipment in this state is determined by multiplying the gross receipts from the lease or rental of the vessel or mobile equipment by a fraction having as a numerator the number of days that the vessel or mobile equipment is in this state while leased or rented in the taxable year and

having as a denominator the total number of days that the vessel or mobile equipment is leased or rented in the taxable year.

4. If the taxpayer does not know the location of moving property while such property is leased or rented in the taxable year, the moving property is used in the state in which such property is located at the time the lessee or renter takes possession of the property.

**SECTION 1735.** 71.25 (9) (dn) of the statutes is created to read:

71.25 **(9)** (dn) For taxable years beginning after December 31, 1999, gross royalties and gross income received for the use of intangible property are attributed to this state if any of the following applies:

1. The purchaser of intangible property uses the intangible property in the production, fabrication or manufacturing of a product that is sold to a customer who is located in this state.

2. The purchaser of intangible property uses the intangible property in the printing or publication of materials that are sold to a customer who is located in this state.

3. The purchaser of intangible property uses the intangible property in the operation of a trade or business at a location in this state.

4. The purchaser of intangible property is billed for the purchase of the intangible property at a location in this state.

5. The taxpayer is not subject to income tax in the state in which the intangible property is used but the taxpayer's commercial domicile is in this state.

**SECTION 1736.** 71.25 (9) (dr) of the statutes is created to read:

71.25 **(9)** (dr) 1. For taxable years beginning after December 31, 1999, receipts from a service are attributed to the state where the purchaser of the service received

the benefit of the service. The benefit of a service is received in this state if any of the following applies:

a. The service relates to real property that is located in this state.

b. The service relates to tangible personal property that is located in this state at the time that the service is received.

c. The service is provided to a person who is located in this state.

d. The service is provided to a person doing business in this state.

e. The service is performed at a location in this state.

2. If the purchaser of a service receives the benefit of a service in more than one state, the receipts from the performance of the service are included in the numerator of the sales factor under par. (a) according to the portion of the service received in this state. If the state where a purchaser received the benefit of a service cannot be determined, the benefit of a service is received in the state where the purchaser, in the regular course of the purchaser's business, ordered the service. If the state where a purchaser ordered a service cannot be determined, the benefit of the service is received in the state where the purchaser, in the regular course of the purchaser's business, receives a bill for the service.

3. If the taxpayer is not subject to income tax in the state in which the benefit of the service is received, the benefit of the service is received in this state to the extent that the taxpayer's employes or representatives performed services from a location in this state.

**SECTION 1736b.** 71.25 (9) (ds) of the statutes is created to read:

71.25 (9) **(ds)** 1. For taxable years beginning after December 31, 1999, the gate receipts from professional sporting events are attributed to the state in which the

taxpayer's sports facility is located. Gate receipts include the taxpayer's in–state gate receipts and the taxpayer's share of out–of–state gate receipts.

2. For taxable years beginning after December 31, 1999, radio and television receipts received by the taxpayer from a professional sports association contract with a communications network are attributed to this state in proportion to the number of events held in this state in which the taxpayer's team is a participant and that are related to the contract compared to the total number of events in which the taxpayer's team is a participant and that are related to the contract.

**SECTION 1736c.** 71.25 (9) (dt) of the statutes is created to read:

71.25 (9) **(dt)** 1. For taxable years beginning after December 31, 1999, the gross receipts from radio and television broadcasting, including advertising revenue, are attributed to this state in proportion to the audience in this state as compared to the total audience.

2. For taxable years beginning after December 31, 1999, the gross receipts from newspapers and magazines, including advertising revenue, are attributed to this state in proportion to the circulation in this state as compared to the total circulation.

**SECTION 1736d.** 71.25 (9) (dw) of the statutes is created to read:

71.25 (9) **(dw)** 1. Except as provided in subds. 2. and 3., if a person doing business in this state and outside this state owns a business that is subject to apportionment under sub. (6) or s. 71.04 (4) and a business that is a subject to apportionment under sub. (10), the person shall apportion income as provided under sub. (6) or s. 71.04 (4).

2. A person who has filed a tax return and who has reported income on the return as apportioned under subd. 1 may request permission from the department to use an alternative apportionment method in the next taxable year, if the person

receives at least 50% of the person's total gross receipts in a taxable year from a business described under sub. (10) (c). If the department grants permission to a person to use an alternative apportionment method under this subdivision, the person may not use the alternative method, and shall apportion income under subd. 1., if the person receives less than 50% of the person's total gross receipts in a taxable year from a business described under sub. (10) (c).

3. The department may require that a person who is subject to apportionment under this subsection use an alternative apportionment method to accurately reflect income that is attributable to this state.

**SECTION 1737.** 71.25 (9) (e) (title) of the statutes is repealed.

**SECTION 1738.** 71.25 (9) (f) (title) of the statutes is repealed.

**SECTION 1738g.** 71.25 (9d) of the statutes is created to read:

71.25 **(9d)** FINANCIAL ORGANIZATIONS. (a) *Definitions*. In this subsection:

1. "Billing address" means the address to which a taxpayer under this subsection sends a notice, statement or bill to the taxpayer's customer.

2. "Credit card" includes a debit card and a travel and entertainment card.

3. "Credit card reimbursement fee" means the fee that a taxpayer receives from a merchant's bank because a person to whom the taxpayer has issued a credit card has paid for merchandise or services sold by the merchant with the credit card.

4. "Financial organization" means a bank; a savings bank; a bank holding company; a savings and loan association; a trust company; a credit union, except a credit union that is exempt from taxes under s. 71.26 (1) (a); a production credit association; or an agency or branch of a foreign depository; whether chartered under the laws of this state, another state or territory, the laws of the United States or the laws of a foreign county. "Financial organization" includes a corporation that derives

at least 50% of its total gross income from finance leases, including direct finance leases and leverage leases as defined by rule, and a corporation that derives at least 50% of its total gross income from an activity that a financial organization performs, except that "financial organization" does not include an insurance company that is taxable under s. 71.43 or a real estate broker, securities dealer or broker–dealer that is taxable under s. 71.26.

5. "Loan" means any extension of credit or creation of debt that results from direct negotiations between the taxpayer under this subsection and the taxpayer's customer; the purchase, in whole or in part, of an extension of credit; and participations, syndications and leases that are considered loans for federal income tax purposes. "Loan" does not include loans under section 595 of the Internal Revenue Code; futures or forward contracts; options; notional principal contracts; credit card receivables; purchased credit card relationships; noninterest bearing balances that are due from depository institutions; cash items in the process of collection; federal funds sold; securities; assets held in a trading account; and interest in any mortgage–backed or assets–backed security.

6. "Merchant discount" means a fee or discount that is charged to a merchant for accepting a credit card as payment for merchandise or services that are sold to the credit card holder.

7. "State" means a state of the United States, the District of Columbia, the commonwealth of Puerto Rico or a territory or possession of the United States.

8. "Taxpayer" means a financial organization that is subject to apportionment under this subsection.

(b) *Apportionment*. For taxable years beginning after December 31, 1999, a financial organization that does business in this state and outside this state shall

apportion its net business income as provided in this subsection. A taxpayer that is subject to this subsection shall apportion its nonbusiness income under sub. (5) (b) and shall deduct the net business income that follows the situs of its property from its total net business income. The taxpayer's remaining net business income shall be apportioned to this state by multiplying the remaining net business income by an apportionment fraction that has as a numerator the gross receipts of the taxpayer in this state during the taxable year and that has a denominator the taxpayer's total gross receipts during the taxable year. The following sources of a taxpayer's business income are subject to apportionment:

1. 'Gross receipts from the lease of real property.' Gross receipts from the lease, rental or sublease of real property owned by the taxpayer shall be apportioned under sub. (9) (dc).

2. 'Gross receipts from the lease of tangible personal property.' Gross receipts from the lease, rental or sublease of tangible personal property owned by the taxpayer shall be apportioned under sub. (9) (dc) and (dg).

3. 'Gross interest from loans secured by real property.' The numerator of the apportionment fraction includes gross interest, fees or penalties from loans that are secured by real property if the real property is located in this state at the time the loan is secured and if the value of the real property represents at least 50% of the aggregate value of the collateral that is used to secure the loan. If the real property that is used to secure a loan is located in this state and in another state or a foreign country, the gross interest, fees or penalties from the loan are included in the numerator of the apportionment fraction, if at least 50% of the fair market value of the real property is located within this state or if the loan borrower is located in this state.

4. 'Gross interest from loans.' The numerator of the apportionment fraction includes gross interest, fees or penalties from loans that are not secured by real property, if the loan borrower is located in this state.

5. 'Sale of loans.' The numerator of the apportionment fraction includes income from the sale of loans and income under section 1286 of the Internal Revenue Code. The income that is included in the numerator is determined as follows:

a. The gross receipts from the sale of loans secured by real property is multiplied by a fraction that has as a numerator the amount included in the numerator under subd. 3. and that has as a denominator the total amount of interest, fees and penalties from loans that are secured by real property.

b. The net gains from the sale of loans that are not secured by real property is multiplied by a fraction that has as a numerator the amount included in the numerator under subd. 4. and that has as a denominator the total amount of interest, fees and penalties from loans that are not secured by real property.

6. 'Credit card receivables.' The numerator of the apportionment fraction includes gross interest, fees or penalties from credit card receivables and gross receipts from fees charged to credit card holders, if the billing address of the credit card holder is in this state.

7. 'Gross receipts from the sale of credit card receivables.' The numerator of the apportionment fraction includes gross receipts from the sale of credit card receivables, multiplied by a fraction that has as a numerator the amount included in the numerator under subd. 6. and that has as a denominator the total amount of interest, fees and penalties that are charged to credit card holders.

8. 'Credit card reimbursement fees.' The numerator of the apportionment fraction includes credit card reimbursement fees, multiplied by a fraction that has

as a numerator the amount included in the numerator under subd. 6. and that has as a denominator the total amount of interest, fees and penalties that are charged to credit card holders.

9. 'Gross receipts from a merchant discount.' The numerator of the apportionment fraction includes gross receipts from a merchant discount if the merchant's business is principally managed from a location in this state. The gross receipts from a merchant discount shall not include credit card holder charge backs. The amount of gross receipts from a merchant discount shall not be reduced by interchange transaction fees or by a credit card reimbursement fee.

10. 'Loan servicing fees.' a. The numerator of the apportionment fraction includes loan servicing fees derived from loans that are secured by real property, multiplied by a fraction that has as a numerator the amount included in the numerator under subd. 3. and that has as a denominator the total amount of interest, fees and penalties from loans that are secured by real property. The numerator of the apportionment fraction also includes loan servicing fees derived from loans that are not secured by real property, multiplied by a fraction that has as a numerator the amount included in the numerator under subd. 4. and that has as a denominator the total amount of interest, fees and penalties from loans that are not secured by real property.

b. If the taxpayer receives loan servicing fees for servicing a loan, the numerator of the apportionment fraction shall include such fees if the borrower of the loan is located in this state.

11. 'Gross income from investment banking services.' The numerator of the apportionment fraction includes gross income, including commissions, management

fees or underwriting fees, earned from investment banking services if the purchaser of the services is located in this state.

12. 'Gross receipts from other services.' The gross receipts from services that are not described under subds. 1. to 11. shall be apportioned under sub. (9) (dr).

13. 'Other sales.' Sales under sub. (9) that are not apportioned under this subsection shall be apportioned under sub. (9).

(c) *Receipts not taxed*. Fifty percent of the gross receipts of the taxpayer that are apportioned under this subsection to a state in which the taxpayer is not taxable is included in the numerator of the apportionment fraction under par. (b), if the taxpayer's commercial domicile is in this state.

**SECTION 1738k.** 71.25 (9g) of the statutes is created to read:

71.25 **(9g)** BROKERS–DEALER AND UNDERWRITERS. (a) *Definitions*. In this subsection:

1. "Billing address" has the meaning given in sub. (9d) (a) 1.

2. "Brokerage commission" includes sales fees on agency or principal transactions.

3. "Broker–dealer" means a person who does business as a broker of securities or commodities. "Broker–dealer" does not include a sales agent; a bank, savings institution or trust company that enters a securities or commodities transaction as an agent; a executor, guardian or conservator who enters a securities or commodities transaction as an agent for another; or a person who purchases or sells the person's own securities or commodities.

4. "Taxpayer" means a broker–dealer or an underwriter who is subject to apportionment under this subsection.

5. "Underwriter" means a person who guarantees to provide a definite sum of money by a definite date to a corporate or government entity in exchange for securities; who markets a corporate or government security offering to the public; or who buys a security offering for a specified price and sells the security offering to the public.

(b) *Apportionment*. For taxable years beginning after December 31, 1999, a broker–dealer or an underwriter who does business in this state and outside this state shall apportion its net business income as provided under this subsection. A taxpayer that is subject to this subsection shall apportion its nonbusiness income under sub. (5) (b) and shall deduct the net business income that follows the situs of its property from its total net business income. The taxpayer's remaining net business income shall be apportioned to this state by multiplying the remaining net business income by an apportionment fraction that has as a numerator the gross receipts of the taxpayer in this state during the taxable year and that has a denominator the taxpayer's total gross receipts during the taxable year. The following sources of a taxpayer's business income are subject to apportionment:

1. 'Security brokerage services.' The numerator of the apportionment fraction includes gross brokerage commissions and total margin interest paid on behalf of brokerage accounts owned by customers, if the billing address of the customer is in this state.

2. 'Underwriting services.' The numerator of the apportionment fraction includes gross income, including commissions, management fees or underwriting fees, earned from underwriting services if the purchaser of the services is located in this state.

3. 'Other services.' The numerator of the apportionment fraction includes gross income, including commissions or management fees, earned from providing investment research, management services or financial services to a customer, if the customer's billing address is in this state.

4. 'Other sales.' Sales under sub. (9) that are not apportioned under this subsection shall be apportioned under sub. (9).

(c) *Receipts not taxed*. Fifty percent of the gross receipts of the taxpayer that are apportioned under this subsection to a state in which the taxpayer is not taxable are included in the numerator of the apportionment fraction under par. (b), if the taxpayer's commercial domicile is in this state.

**SECTION 1738m.** 71.25 (10) (title) of the statutes is amended to read:

71.25 **(10)** (title) RAILROADS, ~~FINANCIAL ORGANIZATIONS~~ TELECOMMUNICATIONS COMPANIES AND PUBLIC UTILITIES.

**SECTION 1738n.** 71.25 (10) (a) of the statutes is amended to read:

71.25 **(10)** (a) In this section, "financial organization" means any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, credit union, cooperative bank, small loan company, sales finance company, investment company, brokerage house, underwriter or any type of insurance company. This paragraph does not apply to taxable years beginning after December 31, 1999.

**SECTION 1738p.** 71.25 (10) (c) of the statutes is amended to read:

71.25 **(10)** (c) The net business income of railroads, sleeping car companies, car line companies, financial organizations, telecommunications companies and public utilities requiring apportionment shall be apportioned pursuant to rules of the department of revenue, but the income taxed is limited to the income derived from

business transacted and property located within the state. For taxable years beginning after December 31, 1999, the net business income of financial organizations shall be apportioned under sub. (9d).

**SECTION 1738r.** 71.25 (11) of the statutes is amended to read:

71.25 **(11)** DEPARTMENT MAY WAIVE FACTOR. Where, in the case of any corporation engaged in business within and without the state of Wisconsin and required to apportion its income as provided in sub. (6), it shall be shown to the satisfaction of the department of revenue that the use of any one of the 3 factors provided in sub. (6) gives an unreasonable or inequitable final average ratio because of the fact that such corporation does not employ, to any appreciable extent in its trade or business in producing the income taxed, the factors made use of in obtaining such ratio, this factor may, with the approval of the department of revenue, be omitted in obtaining the final average ratio which is to be applied to the remaining net income. This subsection does not apply to taxable years beginning after December 31, 2002.

**SECTION 1738s.** 71.25 (15) of the statutes is created to read:

71.25 **(15)** PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or limited partner's share of the numerator and denominator of a partnership's apportionment fractions under this section are included in the numerator and denominator of the general or limited partner's apportionment fractions under this section.

(b) If a limited liability company is considered by the department of revenue to be a partnership, for tax purposes, a member's share of the numerator and denominator of a limited liability company's apportionment fractions under this section are included in the numerator and denominator of the member's apportionment fractions under this section.

**SECTION 1740.** 71.26 (1) (b) of the statutes is amended to read:

71.26 **(1)** (b) *Political units.* Income received by the United States, the state and all counties, cities, villages, towns, school districts, technical college districts, joint local water authorities created under s. 66.0735, family care districts under s. 46.2895 or other political units of this state.

**SECTION 1740c.** 71.26 (2) (a) of the statutes is amended to read:

71.26 **(2)** (a) *Corporations in general.* The "net income" of a corporation means the gross income as computed under the internal revenue code as modified under sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) ~~and~~, (1dx) and (1dy) and not passed through by a partnership, limited liability company or tax–option corporation that has added that amount to the partnership's, limited liability company's or tax–option corporation's income under s. 71.21 (4) or 71.34 (1) (g) plus the amount of losses from the sale or other disposition of assets the gain from which would be wholly exempt income, as defined in sub. (3) (L), if the assets were sold or otherwise disposed of at a gain and minus deductions, as computed under the internal revenue code as modified under sub. (3), plus or minus, as appropriate, an amount equal to the difference between the federal basis and Wisconsin basis of any asset sold, exchanged, abandoned or otherwise disposed of in a taxable transaction during the taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

**SECTION 1740d.** 71.26 (2) (b) 5. of the statutes is repealed.

**SECTION 1740e.** 71.26 (2) (b) 6. of the statutes is amended to read:

71.26 **(2)** (b) 6. For taxable years that begin after December 31, 1990, and before January 1, 1992, for a corporation, conduit or common law trust which

qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the

depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this subdivision with respect to taxable years that begin after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740f.** 71.26 (2) (b) 7. of the statutes is amended to read:

71.26 **(2)** (b) 7. For taxable years that begin after December 31, 1991, and before January 1, 1993, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and

110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the

~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this subdivision with respect to taxable years that begin after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740g.** 71.26 (2) (b) 8. of the statutes is amended to read:

71.26 **(2)** (b) 8. For taxable years that begin after December 31, 1992, and before January 1, 1994, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1., 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,

P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1., 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this subdivision with respect

to taxable years that begin after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740h.** 71.26 (2) (b) 9. of the statutes is amended to read:

71.26 **(2)** (b) 9. For taxable years that begin after December 31, 1993, and before January 1, 1995, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment

company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),

13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this subdivision with respect to taxable years that begin after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740i.** 71.26 (2) (b) 10. of the statutes is amended to read:

71.26 **(2)** (b) 10. For taxable years that begin after December 31, 1994, and before January 1, 1996, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.

101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L.

105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this subdivision with respect to taxable years that begin after December 31, 1994, and before January 1, 1996, except that changes made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740j.** 71.26 (2) (b) 11. of the statutes is amended to read:

71.26 **(2)** (b) 11. For taxable years that begin after December 31, 1995, and before January 1, 1997, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.

103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis

under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this subdivision with respect to taxable years that begin after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740k.** 71.26 (2) (b) 12. of the statutes is amended to read:

71.26 **(2)** (b) 12. For taxable years that begin after December 31, 1996, and before January 1, 1998, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188 and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.

100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L.

105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1996, do not apply to this subdivision with respect to taxable years that begin after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740L.** 71.26 (2) (b) 13. of the statutes is amended to read:

71.26 **(2)** (b) 13. For taxable years that begin after December 31, 1997, and before January 1, 1999, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L.

105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.

103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1997, do not apply to this subdivision with respect to taxable years that begin after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1740m.** 71.26 (2) (b) 14. of the statutes is created to read:

71.26 **(2)** (b) 14. For taxable years that begin after December 31, 1998, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly

affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue

Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1998, do not apply to this subdivision with respect to taxable years that begin after December 31, 1998.

**SECTION 1741m.** 71.26 (3) (y) of the statutes is amended to read:

71.26 **(3)** (y) A corporation may compute amortization and depreciation under either the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, ~~1997~~ 1998, or the federal ~~internal revenue code~~ Internal Revenue Code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be

depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980.

**SECTION 1741t.** 71.28 (1dj) (am) 1. of the statutes is amended to read:

71.28 **(1dj)** (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code as amended to December 31, 1995, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC 2801 (9), and to require a member of a targeted group to be a resident of this state.

**SECTION 1741v.** 71.28 (1dj) (am) 2. of the statutes is amended to read:

71.28 **(1dj)** (am) 2. Modify "designated local agency", as defined in section 51 (d) (15) of the internal revenue code, to include the ~~job training partnership act organization~~ local workforce development board established under 29 USC 2832 for the area that includes the development zone in which the employe in respect to whom the credit under this subsection is claimed works, if the department of commerce approves the criteria used for certification, and the department of commerce.

**SECTION 1742.** 71.28 (1dj) (am) 3. of the statutes is amended to read:

71.28 **(1dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A) of the internal revenue code to allow certification within the ~~90–day~~ period beginning with the first day of employment of the employe ~~by the claimant~~.

**SECTION 1742g.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

71.28 **(1dx)** (b) *Credit.* (intro.) Except as provided in s. 73.03 (35) and subject to s. 560.785, for any taxable year for which the person is certified under s. 560.765 (3), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone under this subchapter the following amounts:

**SECTION 1743.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

71.28 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full–time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in ~~a~~ an enterprise development zone under s. 560.797 and ~~filled by a member of a targeted group~~ for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

**SECTION 1743d.** 71.28 (1dy) of the statutes is created to read:

71.28 **(1dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In this subsection:

1. "Brownfield" has the meaning given in sub. (1dx) (a) 1.

2. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield and investigation unless the investigation determines that remediation is required but remediation is not undertaken.

(b) *Credit.* For any taxable year for which the person is certified under s. 292.77 (5), a person may claim as a credit against taxes imposed under this subchapter 50% of the amount expended for environmental remediation under the program under s. 292.77.

(c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit under sub. (1dx), applies to the credit under this subsection.

**SECTION 1744b.** 71.28 (2m) (a) 1. b. of the statutes is amended to read:

71.28 **(2m)** (a) 1. b. For partnerships, except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1g), or limited liability companies, except limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1g), "claimant" means each individual partner or member.

**SECTION 1745.** 71.28 (4) (a) of the statutes is amended to read:

71.28 **(4)** (a) *Credit.* Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" does not include compensation used in computing the credit under subs. (1dj) and (1dx), the corporation's base amount, as defined in section 41 (c) of the internal revenue code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and~~, (d), (dc), (dg), (dn) and (dr). Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph.

**SECTION 1746d.** 71.28 (4) (i) of the statutes is amended to read:

71.28 **(4)** (i) *Nonclaimants.* The credits under this subsection may not be claimed by a partnership, except a publicly traded partnership treated as a

corporation under s. 71.22 ~~(1)~~ (1g), limited liability company, except a limited liability company treated as a corporation under s. 71.22 ~~(1)~~ (1g), or tax–option corporation or by partners, including partners of a publicly traded partnership, members of a limited liability company or shareholders of a tax–option corporation.

**SECTION 1747m.** 71.30 (3) (eon) of the statutes is created to read:

71.30 **(3)** (eon) Sustainable urban development zone credit under s. 71.28 (1dy).

**SECTION 1748b.** 71.30 (10) of the statutes is created to read:

71.30 **(10)** ENDANGERED RESOURCES. (a) *Definitions*. In this subsection:

1. "Conservation fund" means the fund under s. 25.29.

2. "Endangered resources program" means purchasing or improving land or habitats for any native Wisconsin endangered or threatened species, as defined in s. 29.604 (2) (a) or (b), or for any nongame species, as defined in s. 29.001 (60); conducting the natural heritage inventory program under s. 23.27 (3); conducting wildlife and resource research and surveys; providing wildlife management services; providing for wildlife damage control or the payment of claims for damage associated with endangered or threatened species; and the payment of administrative expenses related to the administration of this subsection.

(b) *Voluntary payments*. 1. 'Designation on return.' A corporation filing an income or franchise tax return may designate on the return any amount of additional payment or any amount of a refund that is due the corporation for the endangered resources program.

2. 'Designation added to tax owed.' If the corporation owes any tax, the corporation shall remit in full the tax due and the amount designated on the return for the endangered resources program when the corporation files a tax return.

3. 'Designation deducted from refund.' Except as provided under par. (d), and subject to ss. 71.75 (9) and 71.80 (3), if the corporation is owed a refund, the department shall deduct the amount designated on the return for the endangered resources program from the amount of the refund.

(c) *Errors; failure to remit correct amount.* 1. 'Reduced designation.' If a corporation remits an amount that exceeds the tax due, after error corrections, but that is less than the total of the tax due, after error corrections, and the amount that is designated by the corporation on the return for the endangered resources program, the department shall reduce the designation for the endangered resources program to reflect the amount remitted that exceeds the tax due, after error corrections.

2. 'Void designation.' The designation for the endangered resources program is void if the corporation remits an amount equal to or less than the tax due, after error corrections.

(d) *Errors; insufficient refund.* If a corporation is owed a refund that is less than the amount designated on the return for the endangered resources program, after attachment and crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections, the department shall reduce the designation for the endangered resources program to reflect the actual amount of the refund the corporation is otherwise owed.

(e) *Conditions.* If a corporation places any conditions on a designation for the endangered resources program, the designation is void.

(f) *Void designation.* If a designation for the endangered resources program is void, the department shall disregard the designation and determine the amounts due, owed, refunded and received.

(g) *Tax return.* The secretary of revenue shall provide a place for the designations under this subsection on the corporate income and franchise tax

returns and the secretary shall highlight that place on the returns by a symbol chosen by the department that relates to endangered resources.

(h) *Certification of amounts.* Annually, on or before September 15, the secretary of revenue shall certify to the department of natural resources, the department of administration and the state treasurer:

1. The total amount of the administrative costs, including data processing costs, incurred by the department of revenue in administering this subsection during the previous fiscal year.

2. The total amount received from all designations for the endangered resources program made by corporations during the previous fiscal year.

3. The net amount remaining after the administrative costs under subd. 1. are subtracted from the total received under subd. 2.

(i) *Appropriations.* From the moneys received from designations for the endangered resources program, an amount equal to the sum of administrative expenses certified under par. (h) 1. shall be deposited into the general fund and credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining certified under par. (h) 3. shall be deposited into the conservation fund and credited to the appropriation under s. 20.370 (1) (fs).

(j) *Refunds.* An amount designated for the endangered resources program under this subsection is not subject to refund to a corporation that designates a donation under par. (b) unless the corporation submits information to the satisfaction of the department within 18 months from the date that taxes are due from the corporation or from the date that the corporation filed the return, whichever is later, that the amount designated is clearly in error. A refund granted by the

department under this paragraph shall be deducted from the moneys received under this subsection in the fiscal year that the refund is certified under 71.75 (7).

**SECTION 1748bm.** 71.34 (1) (g) of the statutes is amended to read:

71.34 **(1)** (g) An addition shall be made for credits computed by a tax–option corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy) and (3) and passed through to shareholders.

**SECTION 1748c.** 71.34 (1g) (e) of the statutes is repealed.

**SECTION 1748d.** 71.34 (1g) (f) of the statutes is amended to read:

71.34 **(1g)** (f) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1990, and before January 1, 1992, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and

before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748e.** 71.34 (1g) (g) of the statutes is amended to read:

71.34 **(1g)** (g) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1991, and before January 1, 1993, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies

for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748f.** 71.34 (1g) (h) of the statutes is amended to read:

71.34 **(1g)** (h) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1992, and before January 1, 1994, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203

of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748g.** 71.34 (1g) (i) of the statutes is amended to read:

71.34 **(1g)** (i) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1993, and before January 1, 1995, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821

(b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748h.** 71.34 (1g) (j) of the statutes is amended to read:

71.34 **(1g)** (j) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1994, and before

January 1, 1996, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311

and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748i.** 71.34 (1g) (k) of the statutes is amended to read:

71.34 **(1g)** (k) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1995, and before January 1, 1997, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after

December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748j.** 71.34 (1g) (L) of the statutes is amended to read:

71.34 **(1g)** (L) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1996, and before January 1, 1998, means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L.

105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748k.** 71.34 (1g) (m) of the statutes is amended to read:

71.34 **(1g)** (m) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1997, and before January 1, 1999, means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,

excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748L.** 71.34 (1g) (n) of the statutes is created to read:

71.34 **(1g)** (n) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1998, means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,

excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

**SECTION 1748m.** 71.365 (1m) of the statutes is amended to read:

71.365 **(1m)** TAX–OPTION CORPORATIONS; DEPRECIATION. A tax–option corporation may compute amortization and depreciation under either the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, ~~1997~~ 1998, or the federal ~~internal revenue code~~ Internal Revenue Code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980. Any difference between the adjusted basis for federal income tax purposes and the adjusted basis under this chapter shall be taken into account in determining net income or loss in the year or years for which the gain or loss is reportable under this chapter. If that property was

placed in service by the taxpayer during taxable year 1986 and thereafter but before the property is used in the production of income subject to taxation under this chapter, the property's adjusted basis and the depreciation or other deduction schedule are not required to be changed from the amount allowable on the owner's federal income tax returns for any year because the property is used in the production of income subject to taxation under this chapter. If that property was acquired in a transaction in taxable year 1986 or thereafter in which the adjusted basis of the property in the hands of the transferee is the same as the adjusted basis of the property in the hands of the transferor, the Wisconsin adjusted basis of that property on the date of transfer is the adjusted basis allowable under the ~~internal revenue code~~ Internal Revenue Code as defined for Wisconsin purposes for the property in the hands of the transferor.

**SECTION 1748n**. 71.42 (2) (d) of the statutes is repealed.

**SECTION 1748p.** 71.42 (2) (e) of the statutes is amended to read:

71.42 **(2)** (e) For taxable years that begin after December 31, 1990, and before January 1, 1992, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for

Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748q.** 71.42 (2) (f) of the statutes is amended to read:

71.42 **(2)** (f) For taxable years that begin after December 31, 1991, and before January 1, 1993, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~

Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the internal revenue code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal internal revenue code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748r.** 71.42 (2) (g) of the statutes is amended to read:

71.42 **(2)** (g) For taxable years that begin after December 31, 1992, and before January 1, 1994, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of

the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748s.** 71.42 (2) (h) of the statutes is amended to read:

71.42 **(2)** (h) For taxable years that begin after December 31, 1993, and before January 1, 1995, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993 excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486 and P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L.

103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748t.** 71.42 (2) (i) of the statutes is amended to read:

71.42 **(2)** (i) For taxable years that begin after December 31, 1994, and before January 1, 1996, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L.

104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748u.** 71.42 (2) (j) of the statutes is amended to read:

71.42 **(2)** (j) For taxable years that begin after December 31, 1995, and before January 1, 1997, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995,

excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748v.** 71.42 (2) (k) of the statutes is amended to read:

71.42 **(2)** (k) For taxable years that begin after December 31, 1996, and before January 1, 1998, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748w.** 71.42 (2) (L) of the statutes is amended to read:

71.42 **(2)** (L) For taxable years that begin after December 31, 1997, and before January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1748x.** 71.42 (2) (m) of the statutes is created to read:

71.42 **(2)** (m) For taxable years that begin after December 31, 1998, "Internal Revenue Code" means the federal Internal Revenue Code as amended to

December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

**SECTION 1748y.** 71.43 (1) of the statutes is amended to read:

71.43 **(1)** INCOME TAX. For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax as provided under this chapter on all Wisconsin net incomes of corporations ~~which~~ <u>that</u> are not subject to the franchise tax under sub. (2) and ~~which~~ <u>that</u> own property within this state<u>; that derive income from sources within this state or from activities that are attributable to this state;</u> or whose business within this state during the taxable year, except as provided under s. 71.23 (3), consists exclusively of foreign commerce, interstate commerce, or both; except as exempted under ss. 71.26 (1) and 71.45 (1). This section shall not be construed to prevent or affect the

correction of errors or omissions in the assessments of income for former years under s. 71.74 (1) and (2).

**SECTION 1749k.** 71.45 (2) (a) 10. of the statutes is amended to read:

71.45 **(2)** (a) 10. By adding to federal taxable income the amount of credit computed under s. 71.47 (1dd) to ~~(1dx)~~ (1dy) and not passed through by a partnership, limited liability company or tax–option corporation that has added that amount to the partnership's, limited liability company's or tax–option corporation's income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47 (1), (3), (4) and (5).

**SECTION 1749m.** 71.45 (2) (a) 13. of the statutes is amended to read:

71.45 **(2)** (a) 13. By adding or subtracting, as appropriate, the difference between the depreciation deduction under the federal Internal Revenue Code as amended to December 31, ~~1997~~ 1998 and the depreciation deduction under the federal Internal Revenue Code in effect for the taxable year for which the return is filed, so as to reflect the fact that the insurer may choose between these 2 deductions, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980.

**SECTION 1750.** 71.45 (3) (intro.) of the statutes is amended to read:

71.45 **(3)** APPORTIONMENT. (intro.) ~~With respect~~ Except as provided in par. (c), to determine Wisconsin income for purposes of the franchise tax, domestic insurers ~~not engaged in the sale of life insurance but which~~ that, in the taxable year, have ~~collected~~ received premiums, other than life insurance premiums, written ~~on subjects of~~ for insurance on property or risks resident, located or to be performed outside this state~~, there~~ shall ~~be subtracted from~~ multiply the net income figure derived by application of sub. (2) ~~(a) to arrive at Wisconsin income constituting the measure of the franchise tax an amount calculated by multiplying such adjusted federal taxable income~~ by the arithmetic average of the following 2 percentages:

**SECTION 1751.** 71.45 (3) (a) of the statutes is amended to read:

71.45 **(3)** (a) ~~The~~ Subject to par. (c), the percentage determined by dividing the sum of ~~total~~ direct premiums written ~~on all property and risks~~ for insurance other than life insurance, on subjects of insurance resident, located or to be performed in this state, and assumed premiums written for reinsurance, other than life insurance, with respect to all property and risks resident, located or to be performed in this state, by the sum of direct premiums written for insurance on all property and risks, other than life insurance, wherever located ~~during the taxable year, as reflects~~, and assumed premiums written ~~on insurance~~ for reinsurance on all property and risks, other than life insurance, ~~where the subject of insurance was resident, located or to be performed outside this state~~ wherever located. In this paragraph, "direct premiums" means direct premiums as reported for the taxable year on an annual statement that is filed by the insurer with the commissioner of insurance. In this paragraph, "assumed premiums" means assumed reinsurance premiums from domestic insurance companies as reported for the taxable year on an annual statement that is filed by the commissioner of insurance.

**SECTION 1752.** 71.45 (3) (b) of the statutes is renumbered 71.45 (3) (b) 1. and amended to read:

71.45 **(3)** (b) 1. ~~The~~ Subject to par. (c), the percentage ~~of~~ determined by dividing the payroll, exclusive of life insurance payroll, paid in this state in the taxable year by total payroll, exclusive of life insurance payroll, paid everywhere in the taxable year ~~as reflects such compensation paid outside this state~~.

2. Compensation is paid outside this state if the individual's service is performed entirely outside this state; or the individual's service is performed both within and without this state, but the service performed within is incidental to the individual's service without this state; or some service is performed without this state and the base of operations, or if there is no base of operations, the place from which the service is directed or controlled is without this state, or the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is outside this state.

**SECTION 1752d.** 71.45 (3) (c) of the statutes is created to read:

71.45 **(3)** (c) 1. For taxable years beginning after December 31, 2000, and before January 1, 2002, the percentage under par. (a) represents 63% of the average of the amounts under pars. (a) and (b) 1.

2. For taxable years beginning after December 31, 2001, and before January 1, 2003, the percentage under par. (a) represents 85% of the average of the amounts under pars. (a) and (b) 1.

3. For taxable years beginning after December 31, 2002, a domestic insurer that is subject to apportionment under this subsection shall multiply the net income

figure derived by application of sub. (2) by the percentage under par. (a) to determine Wisconsin income for purposes of the franchise tax.

**SECTION 1753.** 71.45 (3m) of the statutes is amended to read:

71.45 **(3m)** ARITHMETIC AVERAGE. ~~The~~ Except as provided in sub. (3) (c), the arithmetic average of the 2 percentages referred to in sub. (3) shall be applied to the net income figure arrived at by the successive application of sub. (2) (a) and (b) with respect to Wisconsin insurers to which sub. (2) (a) and (b) applies and which have collected premiums written upon insurance, other than life insurance, where the subject of such insurance was resident, located or to be performed outside this state, to arrive at Wisconsin income constituting the measure of the franchise tax.

**SECTION 1753g.** 71.45 (6) of the statutes is created to read:

71.45 **(6)** PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or limited partner's share of the numerator and denominator of a partnership's apportionment fractions under this section are included in the numerator and denominator of the general or limited partner's apportionment fractions under this section.

(b) If a limited liability company is considered by the department of revenue to be a partnership, for tax purposes, a member's share of the numerator and denominator of a limited liability company's apportionment fractions under this section are included in the numerator and denominator of the member's apportionment fractions under this section.

**SECTION 1754t.** 71.47 (1dj) (am) 1. of the statutes is amended to read:

71.47 **(1dj)** (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code as amended to December 31, 1995, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and

~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC 2801 (9), and to require a member of a targeted group to be a resident of this state.

**SECTION 1754v.** 71.47 (1dj) (am) 2. of the statutes is amended to read:

71.47 **(1dj)** (am) 2. Modify "designated local agency", as defined in section 51 (d) (15) of the internal revenue code, to include the ~~job training partnership act organization~~ local workforce development board established under 29 USC 2832 for the area that includes the development zone in which the employe in respect to whom the credit under this subsection is claimed works, if the department of commerce approves the criteria used for certification, and the department of commerce.

**SECTION 1755.** 71.47 (1dj) (am) 3. of the statutes is amended to read:

71.47 **(1dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A) of the internal revenue code to allow certification within the ~~90–day~~ period beginning with the first day of employment of the employe ~~by the claimant~~.

**SECTION 1755g.** 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

71.47 **(1dx)** (b) *Credit.* (intro.) Except or provided in s. 73.03 (35) and subject to s. 560.785, for any taxable year for which the person is certified under s. 560.765 (3), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone under this subchapter the following amounts:

**SECTION 1756.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full–time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in ~~a~~ an enterprise development zone under s. 560.797 and

~~filled by a member of a targeted group~~ for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

**SECTION 1756h.** 71.47 (1dy) of the statutes is created to read:

71.47 **(1dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In this subsection:

1. "Brownfield" has the meaning given in sub. (1dx) (a) 1.

2. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield and investigation unless the investigation determines that remediation is required but remediation is not undertaken.

(b) *Credit.* For any taxable year for which the person is certified under s. 292.77 (5), a person may claim as a credit against taxes imposed under this subchapter 50% of the amount expended for environmental remediation under the program under s. 292.77.

(c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit under sub. (1dx), applies to the credit under this subsection.

**SECTION 1757b.** 71.47 (2m) (a) 1. b. of the statutes is amended to read:

71.47 **(2m)** (a) 1. b. For partnerships, except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1g), or limited liability companies, except limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1g), "claimant" means each individual partner or member.

**SECTION 1758.** 71.47 (4) (a) of the statutes is amended to read:

71.47 **(4)** (a) *Credit.* Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting

from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" does not include compensation used in computing the credit under subs. (1dj) and (1dx), the corporation's base amount, as defined in section 41 (c) of the internal revenue code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and~~, (d), (dc), (dg), (dn) and (dr). Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph.

**SECTION 1759d.** 71.47 (4) (i) of the statutes is amended to read:

71.47 **(4)** (i) *Nonclaimants.* The credits under this subsection may not be claimed by a partnership, except a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1g), limited liability company, except a limited liability company treated as a corporation under s. 71.22 ~~(1)~~ (1g), or tax–option corporation or by partners, including partners of a publicly traded partnership, members of a limited liability company or shareholders of a tax–option corporation.

**SECTION 1760q.** 71.49 (1) (eon) of the statutes is created to read:

71.49 **(1)** (eon) Sustainable urban development zone credit under s. 71.47 (1dy).

**SECTION 1762.** 71.54 (1) (d) (intro.) of the statutes is amended to read:

71.54 **(1)** (d) *1991 ~~and thereafter~~ to 1999.* (intro.) The amount of any claim filed in 1991 ~~and thereafter~~ to 1999 and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

**SECTION 1763.** 71.54 (1) (e) of the statutes is created to read:

71.54 **(1)** (e) *2000 and thereafter.* The amount of any claim filed in 2000 and thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

1. If the household income was $8,000 or less in the year to which the claim relates, the claim is limited to 80% of the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead.

2. If the household income was more than $8,000 in the year to which the claim relates, the claim is limited to 80% of the amount by which the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead exceeds 11.8% of the household income exceeding $8,000.

3. No credit may be allowed if the household income of a claimant exceeds $20,290.

**SECTION 1764.** 71.54 (2) (a) (intro.) of the statutes is amended to read:

71.54 **(2)** (a) (intro.) Property taxes accrued or rent constituting property taxes accrued shall be reduced by one–twelfth for each month or portion of a month for which the claimant received relief from any county under s. 59.53 (21) equal to or in excess of $400, participated in Wisconsin works under s. 49.147 (4) or (5) <u>or 49.148 (1m)</u> or received assistance under s. 49.19, except assistance received:

**SECTION 1764q.** 71.58 (1) (c) of the statutes is amended to read:

71.58 **(1)** (c) For partnerships except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ <u>(1g)</u>, "claimant" means each individual partner.

**SECTION 1764s.** 71.58 (1) (cm) of the statutes is amended to read:

71.58 **(1)** (cm) For limited liability companies, except limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1g), "claimant" means each individual member.

**SECTION 1784.** 71.64 (9) (b) of the statutes is renumbered 71.64 (9) (b) (intro.) and amended to read:

71.64 **(9)** (b) (intro.) The department shall from time to time adjust the withholding tables to reflect any changes in income tax rates, any applicable surtax or any changes in dollar amounts in s. 71.06 (1), (1m), (1n), (1p) and (2) resulting from statutory changes, except ~~that the~~ as follows:

1. The department may not adjust the withholding tables to reflect the changes in rates in s. 71.06 (1m) and (2) (c) and (d) and any changes in dollar amounts with respect to bracket indexing under s. 71.06 (2e), with respect to changes in rates under s. 71.06 (1m) and (2) (c) and (d), and with respect to standard deduction indexing under s. 71.05 (22) (ds) for any taxable year that begins before January 1, 2000.

(c) The tables shall account for the working families tax credit under s. 71.07 (5m), subject to s. 71.07 (5m) (e). The tables shall be extended to cover from zero to 10 withholding exemptions, shall assume that the payment of wages in each pay period will, when multiplied by the number of pay periods in a year, reasonably reflect the annual wage of the employe from the employer and shall be based on the further assumption that the annual wage will be reduced for allowable deductions from gross income. The department may determine the length of the tables and a reasonable span for each bracket. In preparing the tables the department shall adjust all withholding amounts not an exact multiple of 10 cents to the next highest figure that is a multiple of 10 cents. The department shall also provide instructions

with the tables for withholding with respect to quarterly, semiannual and annual pay periods.

**SECTION 1785.** 71.64 (9) (b) 2. of the statutes is created to read:

71.64 **(9)** (b) 2. The department shall adjust the withholding tables to reflect the changes in rates in s. 71.06 (1n), (1p) and (2) (e), (f), (g) and (h) and any changes in dollar amounts with respect to bracket indexing, with respect to changes in rates under s. 71.06 (1p) and (2) (g) and (h) on July 1, 2000.

**SECTION 1786.** 71.67 (4) (a) of the statutes is amended to read:

71.67 **(4)** (a) The administrator of the lottery division in the department under ch. 565 shall withhold from any lottery prize of $2,000 or more an amount determined by multiplying the amount of the prize by the highest rate applicable to individuals under s. 71.06 (1) ~~or~~, (1m), (1n) or (1p). The administrator shall deposit the amounts withheld, on a monthly basis, as would an employer depositing under s. 71.65 (3) (a).

**SECTION 1787.** 71.67 (5) (a) of the statutes is amended to read:

71.67 **(5)** (a) *Wager winnings.* A person holding a license to sponsor and manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any payment of pari–mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount determined by multiplying the amount of the payment by the highest rate applicable to individuals under s. 71.06 (1) (a) to (c) ~~or~~, (1m), (1n) or (1p) if the amount of the payment is more than $1,000.

**SECTION 1788.** 71.75 (8) of the statutes is amended to read:

71.75 **(8)** A refund payable on the basis of a separate return shall be issued to the person who filed the return. A refund payable on the basis of a joint return shall be issued jointly to the persons who filed the return, except that, if a judgment of divorce under ch. 767 apportions any refund that may be due the formerly married

persons to one of the former spouses, or between the spouses, and if they include with their income tax return a copy of that portion of the judgment of divorce that relates to the apportionment of their tax refund, the department shall issue the refund to the person to whom the refund is awarded under the terms of the judgment of divorce or the department shall issue one check to each of the former spouses according to the apportionment terms of the judgment.

**SECTION 1797k.** 73.03 (2a) of the statutes is amended to read:

73.03 **(2a)** To prepare, have published and distribute to each property tax assessor and to others who so request assessment manuals. The manual shall discuss and illustrate accepted assessment methods, techniques and practices with a view to more nearly uniform and more consistent assessments of property at the local level. The manual shall be amended by the department from time to time to reflect advances in the science of assessment, court decisions concerning assessment practices, costs, and statistical and other information considered valuable to local assessors by the department. The manual shall incorporate standards for the assessment of all types of renewable energy resource systems used in this state as soon as such systems are used in sufficient numbers and sufficient data exists to allow the formulation of valid guidelines. The manual shall incorporate standards, which the department of revenue and the state historical society of Wisconsin shall develop, for the assessment of nonhistoric property in historic districts and for the assessment of historic property, including but not limited to property that is being preserved or restored; property that is subject to a protective easement, covenant or other restriction for historic preservation purposes; property that is listed in the national register of historic places in Wisconsin or in this state's register of historic places and property that is designated as a historic landmark and is subject to

restrictions imposed by a municipality or by a landmarks commission. The manual shall incorporate general guidelines about ways to determine whether property is taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The manual shall state that assessors are required to comply with s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement to it shall specify per acre value guidelines for each municipality for various categories of agricultural land based on the income that could be generated from its estimated rental for agricultural use, as defined by rule, and capitalization rates established by rule. <u>The manual or a supplement to it shall not specify per acre value guidelines for each municipality unless such guidelines are based on procedures that are established by rule.</u> The manual shall include guidelines for classifying land as agricultural land, as defined in s. 70.32 (2) (c) 1. and guidelines for distinguishing between land and improvements to land. The cost of the development, preparation, publication and distribution of the manual and of revisions and amendments to it shall be borne by the assessors and requesters at an individual volume cost or a subscription cost as determined by the department. All receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The department may provide free assessment manuals to other state agencies or exchange them at no cost with agencies of other states or of the federal government for similar information or publications.

**SECTION 1797m.** 73.03 (33m) of the statutes is amended to read:

73.03 **(33m)** To collect, as taxes under ch. 71 are collected, from each person who owes to the department of revenue delinquent taxes, fees, interest or penalties, a fee for each delinquent account equal to $35 or 6.5% of the taxes, fees, interest and penalties owed as of the due date specified in the assessment, notice of amount due

or notice of redetermination on that account, whichever is greater. The department of revenue shall deposit into the general fund as general purpose revenue–earned all fees collected under this subsection.

**SECTION 1797p.** 73.03 (33p) of the statutes is created to read:

73.03 **(33p)** To collect, as taxes under ch. 71 are collected, from each person who owes to the department of revenue delinquent taxes, fees, interest or penalties, a $20 fee for each delinquent taxpayer who enters into an agreement with the department of revenue to pay in instalments the taxpayer's delinquent taxes, including fees, interest or penalties and to collect costs incurred to the department of revenue for court actions that are related to the collection of delinquent taxes. The department of revenue shall deposit into the general fund as general purpose revenue–earned all fees and costs collected under this subsection.

**SECTION 1798.** 73.03 (35) of the statutes is amended to read:

73.03 **(35)** To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds) ~~or,~~ (2dx) or (2dy), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (2dy) or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (2dy) or (4) (am) if granting the full amount claimed would violate ~~the~~ a requirement under s. ~~560.797 (4) (e)~~ 560.785 or would bring the total of the credits granted to that claimant under ~~s. 560.797 (4) (e), or the total of the credits granted to that claimant under~~ all of those subsections~~,~~ over the limit for that claimant under s. 560.768, 560.795 (2) (b) or 560.797 (5) (b).

**SECTION 1801m.** 73.0305 of the statutes is amended to read:

**73.0305 Revenue limits and school aids calculations.** The department of revenue shall annually determine and certify to the state superintendent of public instruction, no later than the 4th Monday in June, the allowable rate of increase ~~for~~

~~the limit imposed~~ under ss.121.15 (3m) (a) 1m. a. to c. and 121.85 (6) (ar) and subch. VII of ch. 121. ~~For that limit, the~~ The allowable rate of increase is the percentage change in the consumer price index for all urban consumers, U.S. city average, between the preceding March 31 and the 2nd preceding March 31, as computed by the federal department of labor.

**SECTION 1805.** 75.105 (3) of the statutes is amended to read:

75.105 **(3)** ADMINISTRATION. Upon the cancellation of all or a portion of real property taxes under sub. (2), the county treasurer shall execute and provide to the owner of the property a statement identifying the property for which taxes have been canceled and shall enter on the tax certificate the date upon which the taxes were canceled and the amount of taxes canceled. The county treasurer shall charge back to the taxation district that included the tax–delinquent real property on its tax roll all of the amount of taxes canceled and shall include the amount of taxes canceled as a special charge in the next tax levy against the taxation district. The county treasurer shall notify the taxation district treasurer of the amount of taxes canceled by October 1. The taxation district shall determine the amount of canceled taxes to be charged back to, and collected from, each taxing jurisdiction for which taxes were collected by the taxation district. The amount determined may not include any interest.

**SECTION 1806.** 75.17 of the statutes is created to read:

**75.17 Transfer of contaminated land to a municipality. (1)** In this section:

(a) "Hazardous substance" has the meaning given in s. 292.01 (5).

(b) "Municipality" means a city, village or town.

**(2)** If a county does not take a tax deed for property that is subject to a tax certificate and that is contaminated by a hazardous substance, within 2 years after the expiration of the redemption period that is described under s. 75.14 (1) and specified in s. 74.57 (2) (a) and (b) (intro.), the county shall take a tax deed for such property upon receiving a written request to do so from the municipality in which the property is located. The county may then retain ownership of the property or, if the county does not wish to retain ownership of the property, the county shall transfer ownership of the property to the municipality, for no consideration, within 180 days after receiving the written request from the municipality.

**SECTION 1807.** 76.025 (1) of the statutes is amended to read:

76.025 **(1)** The property taxable under s. 76.13 shall include all franchises, and all real and personal property of the company used or employed in the operation of its business, ~~except~~ excluding property that is exempt from the property tax under s. 70.11 (39), such motor vehicles as are exempt under s. 70.112 (5) and treatment plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The taxable property shall include all title and interest of the company referred to in such property as owner, lessee or otherwise, and in case any portion of the property is jointly used by 2 or more companies, the unit assessment shall include and cover a proportionate share of that portion of the property jointly used so that the assessments of the property of all companies having any rights, title or interest of any kind or nature whatsoever in any such property jointly used shall, in the aggregate, include only one total full value of such property.

**SECTION 1808.** 76.03 (1) of the statutes is amended to read:

76.03 **(1)** The property, both real and personal, including all rights, franchises and privileges used in and necessary to the prosecution of the business ~~and including~~

~~property that is exempt from the property tax under s. 70.11 (39)~~ of any company enumerated in s. 76.02 shall be deemed personal property for the purposes of taxation, and shall be valued and assessed together as a unit.

**SECTION 1810d.** 76.91 (1m) of the statutes is created to read:

76.91 **(1m)** If the amount calculated under sub. (1) is a negative amount and the taxpayer's annual gross revenue under s. 76.38, 1993 stats., is less than $10,000,000, the taxpayer may claim a credit against the fee imposed under this subchapter as follows:

(a) For the transitional adjustment fee paid for 1999, the taxpayer may consider the negative amount calculated under sub. (1) to be a positive amount and may claim a credit in an amount equal to 60% of the positive amount.

(b) For the transitional adjustment fee paid for the year 2000, the taxpayer may consider the negative amount calculated under sub. (1) to be a positive amount and may claim a credit in an amount equal to 40% of the positive amount.

**SECTION 1812k.** 77.265 (10) of the statutes is created to read:

77.265 **(10)** Any person may use a return filed as a result of a conveyance to a nonprofit conservation organization, as defined in s. 23.0955 (1), that uses public funds, as defined in s. 16.023 (1m) (a) 3., for a transaction, as defined in s. 16.023 (1m) (a) 4.

**SECTION 1812L.** 77.265 (10) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 1815.** 77.60 (2) (intro.) of the statutes is amended to read:

77.60 **(2)** (intro.) Delinquent sales and use tax returns shall be subject to a ~~$10~~ $20 late filing fee unless the return was not timely filed because of the death of the person required to file or unless the return was not timely filed ~~because of a~~

~~reasonable~~ due to good cause and not ~~because of~~ due to neglect. The fee shall not apply if the department has failed to issue a seller's permit or a use tax registration within 30 days of the receipt of an application for a seller's permit or use tax registration accompanied by the fee established under s. 73.03 (50), if the person does not hold a valid certificate under s. 73.03 (50), and the security required under s. 77.61 (2) has not been placed with the department. Delinquent sales and use taxes shall bear interest at the rate of 1.5% per month until paid. The taxes imposed by this subchapter shall become delinquent if not paid:

**SECTION 1815g.** 77.63 of the statutes is created to read:

**77.63 Agreements with direct marketers. (1)** (a) The department of revenue may enter into agreements with out–of–state direct marketers to collect the sales tax and the use tax imposed under this subchapter at the rate imposed under this subchapter plus the rate imposed under subch. V. An out–of–state direct marketer that collects the sales tax and the use tax under this section may retain 5% of the first $1,000,000 of the taxes collected in a year and 6% of the taxes collected in excess of $1,000,000 in a year. This section does not apply to an out–of–state direct marketer who is required to collect the sales tax and the use tax imposed under this subchapter and under subch. V.

(b) Sections 77.58, 77.59 and 77.60, as they apply to the taxes imposed under this subchapter, apply to agreements under this section, except that the department of revenue may negotiate payment schedules and audit procedures with out–of–state direct marketers. The retailer's discount under s. 77.61 (4) (c) does not apply to agreements under this section.

**(2)** Annually, by July 31, the department of revenue shall certify to the department of health and family services an amount equal to one–eleventh of the taxes collected under sub. (1) for grants to counties under s. 46.513.

**SECTION 1816.** 77.76 (3) of the statutes is amended to read:

77.76 **(3)** From the appropriation under s. 20.835 (4) (g) the department shall distribute ~~98.5%~~ 98.25% of the county taxes reported for each enacting county, minus the county portion of the retailers' discounts, to the county and shall indicate the taxes reported by each taxpayer, no later than the end of the 3rd month following the end of the calendar quarter in which such amounts were reported. In this subsection, the "county portion of the retailers' discount" is the amount determined by multiplying the total retailers' discount by a fraction the numerator of which is the gross county sales and use taxes payable and the denominator of which is the sum of the gross state and county sales and use taxes payable. The county taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments of the county taxes previously distributed. Interest paid on refunds of county sales and use taxes shall be paid from the appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1) (a). The county may retain the amount it receives or it may distribute all or a portion of the amount it receives to the towns, villages, cities and school districts in the county. Any county receiving a report under this subsection is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

**SECTION 1817.** 77.76 (4) of the statutes is amended to read:

77.76 **(4)** There shall be retained by the state 1.5% of the taxes collected ~~under this subchapter~~ for taxes imposed by special districts under s. 77.705 and 1.75% of the taxes collected for taxes imposed by counties under s. 77.70 to cover costs

incurred by the state in administering, enforcing and collecting the tax. All interest and penalties collected shall be deposited and retained by this state in the general fund.

**SECTION 1817d.** 77.982 (3) of the statutes is amended to read:

77.982 **(3)** From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute ~~97%~~ 98.25% of the taxes collected under this subchapter for each district to that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this subchapter shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Those taxes may be used only for the district's debt service on its bond obligations. Any district that receives a report along with a payment under this subsection is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

**SECTION 1817g.** 77.991 (3) of the statutes is amended to read:

77.991 **(3)** From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute ~~97%~~ 98.25% of the taxes collected under this subchapter for each district to that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this subchapter shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Those taxes may be used only for the district's debt service on its bond obligations. Any district that receives a report along with a payment under this

subsection is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

**SECTION 1818.** 77.996 (2) (i) of the statutes is created to read:

77.996 **(2)** (i) Formal wear rental firms.

**SECTION 1818c.** 77.996 (4) of the statutes is created to read:

77.996 **(4)** "Formal wear" includes tuxedos, suits and dresses, but does not include costumes, table linens or household fabrics.

**SECTION 1818cm.** 77.996 (5) of the statutes is created to read:

77.996 **(5)** "Formal wear rental firm" means a facility that rents formal wear to the general public and dry cleans only the formal wear that it rents to the general public.

**SECTION 1818d.** 77.9961 (1) of the statutes is amended to read:

77.9961 **(1)** No person may operate a dry cleaning facility in this state unless the person completes and submits to the department a form that the department prescribes and pays to the department a fee for each dry cleaning facility that the person operates. The fee ~~is~~ shall be paid in instalments, as provided in sub. (2), and each instalment is equal to 1.8% of the ~~previous year's~~ gross receipts from the previous 3 months from dry cleaning apparel and household fabrics, but not from formal wear the facility rents to the general public.

**SECTION 1818f.** 77.9961 (2) of the statutes is amended to read:

77.9961 **(2)** Persons who owe a fee under this section shall pay it in instalments on or before April 25, July 25, October 25 and January ~~15~~ 25. The department shall issue a license to each person who pays the ~~fee~~ January 25 instalment and the previous 3 instalments and submits the form under this section. The license is valid ~~through December 31 of~~ for the year ~~during~~ in which the ~~fee~~ January 25 instalment

is due. If a dry cleaning facility is sold, the seller may transfer the license to the buyer. Each holder of a license under this section shall display it prominently in the facility to which it applies.

**SECTION 1818g.** 77.9961 (4) of the statutes is renumbered 77.9961 (4) (a).

**SECTION 1818h.** 77.9961 (4) (b) of the statutes is created to read:

77.9961 **(4)** (b) Any person who operates a dry cleaning facility and who pays an instalment under sub. (2) after the instalment is due shall pay to the department a penalty of $5 for each day from the date that the instalment is due to the date that the instalment is paid.

**SECTION 1818L.** 77.9964 (4) of the statutes is created to read:

77.9964 **(4)** The department shall reimburse the owner or operator of a formal wear rental firm an amount equal to the sum of any fees paid by the owner or operator under s. 77.9961 (1) prior to the effective date of this subsection .... [revisor inserts date].

**SECTION 1818m.** 84.01 (30) (g) of the statutes is created to read:

84.01 **(30)** (g) If the department determines that such a provision advances the public interest, a provision exempting the private entity from the restrictions under ss. 84.25 (11) and 86.19 (1), and specifying any requirements that the department determines will practicably advance the purposes of ss. 84.25 (11) and 86.19 (1).

**SECTION 1819.** 84.013 (3) (zb) of the statutes is created to read:

84.013 **(3)** (zb) USH 41 extending from 1.5 miles south of Frog Pond Road in Oconto County to 1.3 miles north of Schacht Road in Marinette County.

**SECTION 1819c.** 84.013 (4) (a) of the statutes is amended to read:

84.013 **(4)** (a) ~~In~~ Subject to s. 13.489 (1m), in preparation for future major highway projects, the department may perform preliminary engineering and design

work and studies for possible major highway projects not listed under sub. (3), but no major highway may be constructed unless the project is listed under sub. (3) or approved under sub. (6).

**SECTION 1819d.** 84.013 (4) (b) of the statutes is amended to read:

84.013 **(4)** (b) The department may not, within any 6–year period, construct a highway project consisting of separate contiguous projects which do not individually qualify as major highway projects but which in their entirety would constitute a major highway project without first submitting the project to the transportation projects commission for its recommendations and report and without specific authorization under sub. (3), except as provided in par. (c) and sub. (6).

**SECTION 1819e.** 84.013 (4) (c) of the statutes is created to read:

84.013 **(4)** (c) The department may construct highway projects involving STH 59 between STH 164 on the eastern edge of the city of Waukesha and Calhoun Road in Waukesha County and STH 59 from Calhoun Road to the Waukesha County line in Waukesha County without first submitting the projects to the transportation projects commission for its recommendations and report and without specific authorization under sub. (3).

**SECTION 1819m.** 84.1044 of the statutes is created to read:

**84.1044 John R. Plewa Memorial Lake Parkway.** The department shall designate and mark I 794 and STH 794 in Milwaukee County commencing from the Daniel Webster Hoan Memorial Bridge and proceeding southerly to the intersection with East Layton Avenue as the "John R. Plewa Memorial Lake Parkway" in recognition and appreciation of the life of John R. Plewa and his public service as a member of the Wisconsin legislature for more than 20 years.

**SECTION 1820.** 84.106 of the statutes is created to read:

**84.106 Scenic byways program. (1)** DESIGNATION. The department shall develop, implement and administer a program to designate highways, as defined in s. 340.01 (22), or portions of highways in this state that have outstanding scenic, historic, cultural, natural, recreational or archeological qualities as scenic byways. The department may seek designation by the federal government of a highway designated as a scenic byway under this section as a national scenic byway or as an All–American Road.

**(2)** RULES. The department shall promulgate rules under this section consistent with 23 USC 162 and regulations established under that section.

**SECTION 1820k.** 84.11 (5n) of the statutes is created to read:

84.11 **(5n)** DESIGN–BUILD CONTRACTS. (a) In this subsection, "design–build contract" means a contract for a project under which the engineering, design and construction services are provided by a single entity.

(b) Notwithstanding any other provision of this section and ss. 84.01 (13) and 84.06 (2), the department may enter into a design–build contract for the design and construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats., and for which no contract for construction is awarded before May 1, 1999. The department may enter into a contract under this paragraph only if all of the following conditions are met:

1. The design–build contract is awarded through a competitive selection process that utilizes, at a minimum, contractor qualifications, quality, completion time and cost as award criteria. In order to be eligible to participate in the selection process, the contractor must be prequalified by the department as a design consultant and as a contractor.

2. The design–build contract is approved by the secretary of the federal department of transportation under an experimental program described under section 1307 (d) of P.L. 105–178 pursuant to the authority granted under section 1307 (e) of P.L. 105–178.

3. The design–build contract is approved by the governor.

(c) No later than 5 years after the effective date of this paragraph .... [revisor inserts date], the department shall submit a report to the governor, and to the legislature under s. 13.172 (2), describing the effectiveness of the design–build process contracting procedures under this subsection.

**SECTION 1820L.** 84.11 (5r) of the statutes is created to read:

84.11 **(5r)** MILWAUKEE 6TH STREET VIADUCT COST SHARING. Notwithstanding sub. (5m), the costs for any project governed by an agreement that is in effect before June 30, 1993, for which funding is provided under s. 84.11 (5), 1993 stats., and for which no contract for construction is awarded before May 1, 1999, shall be paid as specified in an agreement entered into on or after April 20, 1999, by the city and county in which the bridge is wholly located and this state.

**SECTION 1820m.** 84.185 (10) of the statutes is created to read:

84.185 **(10)** PRIORITY OF BROWNFIELDS. The department shall promote the program under this section as required under s. 85.61.

**SECTION 1820n.** 84.25 (11) of the statutes is amended to read:

84.25 **(11)** COMMERCIAL ENTERPRISES. No commercial enterprise, except a vending facility which is licensed by the department of workforce development and operated by blind or visually impaired persons<u>, or a commercial enterprise exempted from this subsection by an agreement under s. 84.01 (30) (g)</u>, shall be authorized or

conducted within or on property acquired for or designated as a controlled–access highway.

**SECTION 1821.** 84.30 (2m) of the statutes is created to read:

84.30 **(2m)** CONDITIONAL USES AND SPECIAL EXCEPTIONS NOT CONSIDERED. No uses of real property that are authorized by special zoning permission, including uses by conditional use, special exception, zoning variance or conditional permit, may be considered when determining whether the area is a business area.

**SECTION 1822.** 84.30 (3) (c) (intro.) of the statutes is amended to read:

84.30 **(3)** (c) (intro.) Signs advertising activities conducted on the property on which they are located if such on–property signs comply with applicable federal law and the June 1961 agreement between the department and the federal highway administrator relative to control of advertising adjacent to interstate highways. ~~Additionally, any such sign located outside the incorporated area of a city or village shall comply with the following criteria~~ No on–property sign may be erected in a location where it constitutes a traffic hazard. If the department issues permits for outdoor advertising signs, the department is not required to issue permits for on–property signs that conform to the requirements of this paragraph. On–property signs may be illuminated, subject to the following restrictions:

**SECTION 1823.** 84.30 (3) (c) 1. to 3. of the statutes are repealed and recreated to read:

84.30 **(3)** (c) 1. Signs which contain, include or are illuminated by any flashing, intermittent or moving light or lights are prohibited, except electronic signs permitted by rule of the department.

2. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the interstate or

federal–aid primary highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle, are prohibited.

3. No sign may be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

**SECTION 1824.** 84.30 (3) (c) 5. of the statutes is repealed.

**SECTION 1824f.** 84.30 (10m) of the statutes is created to read:

84.30 **(10m)** ANNUAL PERMIT FEE REQUIREMENT. The department may promulgate a rule requiring persons specified in the rule to pay annual permit fees for signs. If the department establishes an annual permit fee under this subsection, failure to pay the fee within 2 months after the date on which payment is due is evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm. Code.

**SECTION 1825.** 84.59 (2) of the statutes is amended to read:

84.59 **(2)** The department may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562, deposit in a separate and distinct fund outside the state treasury, in an account maintained by a trustee, revenues derived under s. 341.25. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section.

**SECTION 1826.** 84.59 (6) of the statutes is amended to read:

84.59 **(6)** ~~Revenue obligations may be contracted by the~~ The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis.

~~Revenue~~ Except as provided in this subsection, the principal amount of revenue obligations issued under this section ~~shall~~ may not exceed ~~$1,348,058,900 in principal amount, excluding obligations issued to refund outstanding revenue obligations. Not more than $1,255,499,900 of the $1,348,058,900 may~~ $1,440,665,900 and may be used for transportation facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section and to pay expenses associated with revenue obligations contracted under this section.

**SECTION 1828m.** 85.021 of the statutes is created to read:

**85.021 Long–range transportation plans. (1)** In this section, "long–range transportation plan" means a plan for the development or maintenance of airports, highways, bicycle and pedestrian facilities, railroads, railroad facilities, harbor facilities, harbors or mass transit systems that covers a time period of more than 6 years.

**(2)** If the department proposes to adopt a long–range transportation plan the secretary shall, prior to the department's adoption of the plan, submit the plan to the joint committee on finance. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's submittal that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may adopt the plan. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may adopt the plan only upon approval of the committee. If the

committee directs the department to reconsider parts of the plan, the department may adopt the plan only after reconsidering the plan, resubmitting a revised plan to the committee's approval.

**SECTION 1830.** 85.024 (2) of the statutes is amended to read:

85.024 **(2)** The department shall administer a bicycle and pedestrian facilities program to award grants of assistance to political subdivisions for the planning, development or construction of bicycle and pedestrian facilities. ~~Annually, the~~ The department shall award from the appropriation under s. 20.395 (2) (nx) grants to political subdivisions under this section. A political subdivision that is awarded a grant under this section shall contribute matching funds equal to at least 25% of the amount awarded under this section. ~~The department shall select grant recipients annually beginning in 1994 from applications submitted to the department on or before April 1 of each year.~~

**SECTION 1830g.** 85.026 (2) of the statutes is amended to read:

85.026 **(2)** PROGRAM. ~~The~~ Subject to s. 85.61, the department may administer a program to award grants of assistance to any political subdivision or state agency, as defined in s. 20.001 (1), for transportation enhancement activities consistent with federal regulations promulgated under 23 USC 133 (b) (8). The grants shall be awarded from the appropriations under s. 20.395 (2) (nv) and (nx).

**SECTION 1830h.** 85.05 of the statutes is amended to read:

**85.05 Evaluation of proposed major highway projects.** The department by rule shall establish a procedure for numerically evaluating projects considered for enumeration under s. 84.013 (3) as a major highway project. The evaluation procedure may include any criteria that the department considers relevant. The rules shall establish a minimum score that a project shall meet or exceed when

evaluated under the procedure established under this section before the department may recommend the project to the transportation projects commission for consideration under s. 13.489 (4).

**SECTION 1830j.** 85.055 of the statutes is created to read:

**85.055 Passenger railroad station improvements. (1)** In this section, "Local governmental unit" means a city, village, town or county or an agency or subdivision of a city, village, town or county.

**(2)** The department shall administer a passenger railroad station improvement grant program. From the appropriation under s. 20.395 (2) (ct), the department shall award grants to local governmental units or private entities for the construction or rehabilitation of passenger railroad stations along existing or proposed rail passenger routes. The amount of a grant awarded under this section shall be limited to an amount equal to 33% of the cost of the project or $60,000, whichever is less.

**(3)** The department may not award a grant under this section to a public entity unless the governing body of the city, town, village or county has adopted a resolution supporting the proposed project.

**(4)** The department shall promulgate rules to administer the program.

**SECTION 1830p.** 85.07 (7) of the statutes is renumbered 85.07 (7) (a).

**SECTION 1830q.** 85.07 (7) (b) of the statutes is created to read:

85.07 **(7)** (b) When evaluating and selecting proposed hazard elimination projects to be funded using federal funds available under 23 USC 152, the department shall consider the reduction in motor vehicle accidents that will result from the proposed projects, except that, if a proposed project will reduce the response time of emergency vehicles, the department shall consider both the reduction in

motor vehicle accidents that will result from the proposed project and the public safety benefits that will result from a reduction in the response time of emergency vehicles.

**SECTION 1832.** 85.12 (3) of the statutes is created to read:

85.12 **(3)** The department may contract with any local governmental unit, as defined in s. 16.97 (7), to provide that local governmental unit with services under this section.

**SECTION 1834.** 85.20 (1) (g) of the statutes is amended to read:

85.20 **(1)** (g) "Operating expenses" mean costs accruing to an urban mass transit system by virtue of its operations, including costs to subsidize fares paid by disabled persons for transportation within the urban area of the eligible applicant, and, for eligible applicants receiving aid under sub. (4m) (a) 7. or 8., maintenance. For a publicly owned system, operating expenses do not include profit, return on investment or depreciation as costs. If a local public body contracts for the services of a privately owned system on the basis of competitive bids, operating expenses may include as costs depreciation on the facilities and equipment that the privately owned system acquired without benefit of public financial assistance, profit and return on investment. If a local public body contracts for the services of a privately owned system on the basis of negotiated procurement, operating expenses may include as costs depreciation on the facilities and equipment that the privately owned system acquired without benefit of public financial assistance. In an urban area which is served exclusively by shared–ride taxicab systems, operating expenses may include costs to subsidize reasonable fares paid by all users for transportation within the urban area of the eligible applicant.

**SECTION 1836m.** 85.20 (4m) (a) (intro.) of the statutes is amended to read:

85.20 **(4m)** (a) (intro.) ~~An amount shall be allocated~~ The department shall pay annually to the eligible applicant described in subd. 6. cm. the amount of aid specified in subd. 6. cm. The department shall pay annually to the eligible applicant described in subd. 6. d. the amount of aid specified in subd. 6. d. The department shall allocate an amount to each eligible applicant described in subd. 7. or 8. to ensure that the sum of state and federal aids for the ~~projected~~ operating expenses of each eligible applicant's urban mass transit system is equal to a uniform percentage, established by the department, of the ~~projected~~ operating expenses of the mass transit system for the calendar year. For calendar year 1999, the operating expenses used to establish the uniform percentage shall be the projected operating expenses of an urban mass transit system. Subject to sub. (4r), for calendar year 2000 and thereafter the operating expenses used to establish the uniform percentage shall be the operating expenses incurred during the 2nd calendar year preceding the calendar year for which aid is paid under this section. The department shall make allocations as follows:

**SECTION 1837.** 85.20 (4m) (a) 1., 2., 3., 4. and 5. of the statutes are repealed.

**SECTION 1837m.** 85.20 (4m) (a) 6. a. of the statutes is amended to read:

85.20 **(4m)** (a) 6. a. From the appropriation under s. 20.395 (1) (hq), the uniform percentage for each eligible applicant in an urban area served by an urban mass transit system with annual operating expenses in excess of $20,000,000. This subd. 6. a. does not apply to aid payable for calendar year 2000 or thereafter.

**SECTION 1838.** 85.20 (4m) (a) 6. b. of the statutes is amended to read:

85.20 **(4m)** (a) 6. b. For the purpose of making allocations under subd. 6. a., the ~~amounts~~ amount for aids ~~are $60,984,900 in calendar year 1998 and~~ is $63,119,300 in calendar year 1999 ~~and thereafter. These amounts,~~. This amount, to the extent

practicable, shall be used to determine the uniform percentage in ~~the particular calendar year~~ 1999. This subd. 6. b. does not apply to aid payable for calendar year 2000 or thereafter.

**SECTION 1839mm.** 85.20 (4m) (a) 6. cm. of the statutes is created to read:

85.20 **(4m)** (a) 6. cm. Beginning with aid payable for calendar year 2000, from the appropriation under s. 20.395 (1) (ht), the department shall pay $53,555,600 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $80,000,000. If the eligible applicant that receives aid under this subd. 6. cm. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

**SECTION 1839mr.** 85.20 (4m) (a) 6. d. of the statutes is created to read:

85.20 **(4m)** (a) 6. d. Beginning with aid payable for calendar year 2000, from the appropriation under s. 20.395 (1) (hu), the department shall pay $14,297,600 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. If the eligible applicant that receives aid under this subd. 6. d. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

**SECTION 1841.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

85.20 **(4m)** (a) 7. b. For the purpose of making allocations under subd. 7. a., the amounts for aids are ~~$17,799,600 in calendar year 1998 and~~ $18,422,500 in calendar year 1999 and $19,804,200 in calendar year 2000 and thereafter. These amounts,

to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

**SECTION 1844.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

85.20 **(4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the amounts for aids are ~~$4,807,600 in calendar year 1998 and~~ $4,975,900 in calendar year 1999 <u>and $5,349,100 in calendar year 2000</u> and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

**SECTION 1847m.** 85.20 (4r) of the statutes is created to read:

85.20 **(4r)** EXPANSION OF SERVICE. An eligible applicant that receives aid under sub. (4m) (a) 7. or 8. shall notify the department if the eligible applicant anticipates receiving new or expanded services provided by an urban mass transit system in a manner that will increase operating expenses. The eligible applicant shall provide the notice during the calendar year preceding the calendar year in which the new or expanded services will first be provided. The notice shall include an estimate of the projected annual operating expenses of the new or expanded services. The department may modify the projected annual operating expenses to an amount that the department considers reasonable. The department shall adjust the projected annual operating expenses for inflation and, for each calendar year for which actual operating costs of the new or expanded services are not known, shall add the adjusted projected annual operating expenses to the operating expenses used to determine the uniform percentage under sub. (4m) (a) (intro.).

**SECTION 1847q.** 85.20 (4s) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

85.20 **(4s)** PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed between the department and eligible applicants under this section shall provide that the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the state's fiscal year shall be provided from the following fiscal year's appropriation under s. 20.395 (1) (hq), (hr) ~~or,~~ (hs)<u>, (ht) or (hu)</u>.

**SECTION 1848.** 85.20 (6) (c) of the statutes is created to read:

85.20 **(6)** (c) Disclose to the department the amount of federal aid over which the eligible applicant has spending discretion and that the eligible applicant intends to apply towards operating expenses for a calendar year. This paragraph applies only to an eligible applicant that receives aid under sub. (4m) (a) 7. or 8.

**SECTION 1849g.** 85.20 (7) (c) of the statutes is created to read:

85.20 **(7)** (c) Beginning with contracts for aid payable for calendar year 2000, the department may not enter into a contract for payment of state aids under sub. (4m) unless the rules promulgated under this subsection are in effect and unless the contract requires the urban mass transit system to comply with those rules as a condition of receiving aid under sub. (4m).

**SECTION 1850.** 85.22 (2) (am) (intro.) of the statutes is amended to read:

85.22 **(2)** (am) (intro.) "Eligible applicant" means any applicant that meets eligibility requirements for federal assistance under 49 USC ~~1612 (b) (2)~~ <u>5310 (a)</u> and is one of the following:

**SECTION 1851.** 85.22 (4) of the statutes is renumbered 85.22 (4) (a) (intro.) and amended to read:

85.22 **(4)** (a) (intro.) Commencing with the highest ranked application and to the extent that state moneys are available, the department shall offer to each eligible

applicant an amount of state aid such that the sum of federal and state aid received by an applicant does not exceed ~~80%~~ any of the following:

1. The percentage, specified by the department by rule, of the estimated capital project costs.

(b) State aids available under this section shall not be available for operating purposes.

**SECTION 1852.** 85.22 (4) (a) 2. of the statutes is created to read:

85.22 **(4)** (a) 2. For the specific type or category of capital equipment for which aid is paid, the percentage of the estimated capital costs that are eligible for federal aid.

**SECTION 1852m.** 85.32 of the statutes is created to read:

**85.32 Statewide trauma care system transfer.** Beginning July 1, 2000, and annually thereafter, the secretary shall transfer $80,000 from the appropriation under s. 20.395 (5) (dq) to the appropriation under s. 20.435 (1) (kx) for the purposes of the statewide trauma care system under s. 146.56.

**SECTION 1853.** 85.50 of the statutes is repealed.

**SECTION 1854.** 85.515 of the statutes, as created by 1997 Wisconsin Act 84, is amended to read:

**85.515 Implementation of 1997 Wisconsin Act 84**. If the secretary determines that the changes to the department's computerized information systems made necessary by 1997 Wisconsin Act 84 will be operational before May 1, ~~2000~~ 2001, the secretary shall publish a notice in the Wisconsin Administrative Register that states the date on which the changes to the department's computerized information system will begin operating, and that ~~the~~ clearly states which portion

of revisions to the operator's license suspension and revocation law made by 1997 Wisconsin Act 84 will become effective on that date.

**SECTION 1854m.** 85.52 (3) (a) of the statutes is amended to read:

85.52 **(3)** (a) ~~The~~ Subject to s. 85.61, the department shall administer a transportation infrastructure loan program to make loans, and to provide other assistance, to eligible applicants for highway projects or transit capital projects. The department of transportation may not make a loan or provide other assistance under the program unless the secretary of administration approves of the loan or other assistance and determines that the amounts in the fund, together with anticipated receipts, will be sufficient to fully pay principal and interest costs incurred on the revenue obligations issued under sub. (5). Loans or other assistance under the program for highway projects shall be credited to the highway account. Loans or other assistance under the program for transit capital projects shall be credited to the transit account.

**SECTION 1855.** 85.52 (5) (c) of the statutes is amended to read:

85.52 **(5)** (c) The department of administration may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562, deposit in a separate and distinct fund in the state treasury or in an account maintained by a trustee outside the state treasury, any portion of the revenues derived under s. 25.405 (2). The revenues deposited with a trustee outside the state treasury are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this subsection.

**SECTION 1855g.** 85.53 (3) of the statutes is amended to read:

85.53 **(3)** Grants under this section shall be paid from the appropriation under s. 20.395 (5) (jr) The amount of a grant may not exceed 80% of the amount expended

by an eligible applicant for services related to the program. ~~The total amount of grants awarded under this section may not exceed $500,000.~~

**SECTION 1855L.** 85.61 of the statutes is created to read:

**85.61 Programs to assist brownfields redevelopment.** The department shall promote the following programs in a manner that ensures that the programs assist the restoration of the environment and the redevelopment of brownfields, as defined in s. 560.60 (1v), to the greatest extent possible:

**(1)** Activities funded from the appropriation under s. 20.395 (2) (fv) or (fx).

**(2)** Transportation facilities economic assistance and development under s. 84.185.

**(3)** The transportation enhancement activities program under s. 85.026, if the department administers such a program.

**(4)** The transportation infrastructure loan program under s. 85.52.

**SECTION 1855p.** 86.19 (1) of the statutes is amended to read:

86.19 **(1)** Except as provided in sub. (1m) <u>or s. 84.01 (30) (g)</u>, no sign shall be placed within the limits of any street or highway except such as are necessary for the guidance or warning of traffic or as provided by ss. 60.23 (17m) and 66.046. The authorities charged with the maintenance of streets or highways shall cause the removal therefrom and the disposal of all other signs.

**SECTION 1855r.** 86.19 (1r) of the statutes is created to read:

86.19 **(1r)** Notwithstanding sub. (1), the department shall erect and maintain directional signs along I 43 for America's Black Holocaust Museum in Milwaukee County. The department may not charge any fee related to any sign erected and maintained under this subsection.

**SECTION 1856.** 86.30 (2) (a) 1. of the statutes is amended to read:

86.30 **(2)** (a) 1. Except as provided in pars. (b), (d) and (dm), sub. (10) and s. 86.303, the amount of transportation aids payable by the department to each county shall be the aids amount calculated under subd. 2. and to each municipality shall be the aids amount calculated under subd. 2. or 3., whichever is greater. If the amounts calculated for a municipality under subd. 2. or 3. are the same, transportation aids to that municipality shall be paid under subd. 2.

**SECTION 1857.** 86.30 (2) (a) 3. f. of the statutes is repealed.

**SECTION 1858.** 86.30 (2) (a) 3. g. of the statutes is amended to read:

86.30 **(2)** (a) 3. g. In calendar ~~year~~ years 1998 and ~~thereafter~~ 1999, $1,596.

**SECTION 1859.** 86.30 (2) (a) 3. h. of the statutes is created to read:

86.30 **(2)** (a) 3. h. In calendar year 2000, $1,692.

**SECTION 1859m.** 86.30 (2) (a) 3. i. of the statutes is created to read:

86.30 **(2)** (a) 3. i. In calendar year 2001 and thereafter, $1,709.

**SECTION 1862.** 86.30 (9) (b) of the statutes is amended to read:

86.30 **(9)** (b) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to counties are ~~$70,644,200 in calendar year 1997 and~~ $78,744,300 in calendar ~~year~~ years 1998 and 1999, $83,469,000 in calendar year 2000 and $84,303,700 in calendar year 2001 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide county average cost–sharing percentage in the particular calendar year.

**SECTION 1863.** 86.30 (9) (c) of the statutes is amended to read:

86.30 **(9)** (c) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to municipalities are ~~$222,255,300 in calendar year 1997 and~~ $247,739,100 in calendar ~~year~~ years 1998 and 1999, $262,603,400 in calendar year 2000 and $265,229,400 in calendar year 2001 and thereafter. These amounts, to the

extent practicable, shall be used to determine the statewide municipal average cost–sharing percentage in the particular calendar year.

**SECTION 1863m.** 86.30 (10) of the statutes is created to read:

86.30 **(10)** AID PAYMENTS FOR CALENDAR YEARS 2000 AND 2001. (a) 1. For calendar years 2000 and 2001, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to counties for those years and the amount of moneys appropriated for distribution under this section to counties for the preceding calendar year.

2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i), the amount of aid payable to each county in calendar years 2000 and 2001 shall be the amount paid to that county for the preceding calendar year, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the county for the preceding calendar year.

(b) 1. For calendar years 2000 and 2001, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to municipalities for those years and the amount of moneys appropriated for distribution under this section to municipalities for the preceding calendar year.

2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i), the amount of aid payable to each municipality in calendar years 2000 and 2001 shall be the amount paid to that municipality for the preceding calendar year, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the municipality for the preceding calendar year.

**SECTION 1864.** 86.302 (title) of the statutes is repealed and recreated to read:

**86.302** (title) **Local roads; inventory.**

**SECTION 1865.** 86.302 (1) of the statutes is renumbered 86.302 (1g) and amended to read:

86.302 **(1g)** Except as provided in sub. (1m), beginning on January 1, 2001, the board of every town, village and county, and the governing body of every city, shall file with the department ~~and with the county clerk~~ not later than December 15 of every ~~odd–numbered~~ year, a certified plat of ~~such town, village, city~~ the municipality or county showing the ~~roads and streets~~ highways under ~~their~~ its jurisdiction and the mileage thereof to be open and used for travel as of the succeeding January 1~~, which may be used by the~~. The department may use the plats in making computations of transportation aids. One–half of the mileage of ~~roads or streets~~ highways on boundary lines shall be considered as lying in each ~~town, village, city~~ municipality or county.

**SECTION 1866.** 86.302 (1d) of the statutes is created to read:

86.302 **(1d)** (a) "Highway" has the meaning given in s. 340.01 (22).

(b) "Municipality" means a city, village or town.

**SECTION 1867.** 86.302 (1m) (a) of the statutes is renumbered 86.302 (1m) (a) 1. and amended to read:

86.302 **(1m)** (a) 1. ~~The board of a town, village or county and the governing body of a city need not file a certified plat under sub. (1) if the town, village,~~ In lieu of filing a certified plat under sub. (1g), if a municipality or county ~~or city~~ has not added or deleted jurisdictional mileage since filing its last preceding certified plat under sub. ~~(1)~~ (1g), its board or governing body may file a certified statement to that effect with the department.

**SECTION 1868.** 86.302 (1m) (a) 2. of the statutes is created to read:

86.302 **(1m)** (a) 2. Notwithstanding subd. 1., the department may require every municipality and county to file a certified plat under sub. (1g) with the department in the year after the year in which a federal decennial census is conducted.

**SECTION 1869.** 86.302 (1m) (b) of the statutes is amended to read:

86.302 **(1m)** (b) Upon incorporation of a village or city, the board of the village and the governing body of the city shall file with the department ~~and with the county clerk~~ a certified plat of the village or city showing the ~~roads and streets~~ highways under its jurisdiction and the mileage thereof to be open and used for travel as of the date of incorporation, which may be used by the department in making computations of transportation aids. One–half of the mileage of ~~roads or streets~~ highways on boundary lines shall be considered as lying in the village or city.

**SECTION 1870.** 86.302 (2) of the statutes is amended to read:

86.302 **(2)** The department shall assess the accuracy of mileage reported by municipalities and counties and may use field investigations to verify a portion of the mileage constituting a valid random sample or such specialized sample as the department considers appropriate. The department shall cooperate with and provide assistance to local units of government in their jurisdictional mileage determination efforts. ~~The department shall inventory and verify all road mileage in a county or municipality once every 10 years.~~

**SECTION 1871.** 86.302 (3) of the statutes is amended to read:

86.302 **(3)** For the purposes of transportation aid determinations under s. 86.30, the department shall use changes in the ~~road~~ highway mileage of a ~~city,~~ municipality or county~~, town or village~~ indicated on the certified plat filed under sub. ~~(1) shall be used by the department~~ (1g) in making computations of transportation aids to be paid beginning in the ~~next odd–numbered~~ 2nd year following the

~~odd–numbered~~ year in which the certified plat is filed. The department shall consider the following factors ~~shall be considered by the department~~:

(a) New ~~roads~~ highways.

(b) Abandoned ~~roads~~ highways.

(c) Changes in jurisdictional mileage responsibilities for existing ~~roads~~ highways.

**SECTION 1872.** 86.303 (4) (b) of the statutes is amended to read:

86.303 **(4)** (b) In the case of municipalities formed within the previous 6 years, the information needed for the determinations under this section shall be calculated as follows: for those years for which the necessary data does not exist, the data for the new municipality and the municipality from which it was formed shall be combined and the sum shall be apportioned to each municipality in proportion to the total mileage of ~~roads and streets~~ highways under their respective jurisdictions. In making these calculations, the department shall use the certified plats filed under s. 86.302 ~~(1)~~ (1g).

**SECTION 1873.** 86.303 (6) (c) (intro.) of the statutes is amended to read:

86.303 **(6)** (c) (intro.) The following other costs to the extent ~~to which~~ they are highway related are reportable:

**SECTION 1874.** 86.303 (6) (c) 4. of the statutes is amended to read:

86.303 **(6)** (c) 4. ~~Traffic police and street~~ Street lighting costs.

**SECTION 1875.** 86.303 (6) (cm) of the statutes is created to read:

86.303 **(6)** (cm) Some portion of law enforcement costs determined by the department, in consultation with the representatives appointed under sub. (5) (am), may be reported as eligible cost items. The department may establish different portions under this paragraph for different classes of counties or municipalities.

**SECTION 1875f.** 86.31 (3m) of the statutes is amended to read:

86.31 **(3m)** TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395 (2) (fr), the department shall allocate $1,500,000 in fiscal year 1999–2000 and $500,000 in each following fiscal year to fund town road improvements with eligible costs totaling $100,000 or more. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

**SECTION 1877.** 88.15 of the statutes is created to read:

**88.15 Drainage board grants. (1)** From the appropriation under s. 20.115 (7) (d), the department of agriculture, trade and consumer protection shall make grants to boards to assist boards to comply with this chapter and rules promulgated under this chapter. A grant under this section may not exceed 40% of the costs incurred by the board to comply with this chapter and rules promulgated under this chapter.

**(2)** The department of agriculture, trade and consumer protection shall promulgate rules for the administration of the program under this section.

**(3)** The department of agriculture, trade and consumer protection may not make grants under this section after June 30, 2004.

**SECTION 1909p.** 92.07 (2) of the statutes is amended to read:

92.07 **(2)** STANDARDS. Each land conservation committee may develop and adopt standards and specifications for management practices to control erosion, sedimentation and nonpoint source water pollution. The standards and specifications for agricultural facilities and practices that are constructed or begun on or after October 14, 1997, and, if cost–sharing is available to the owner or operator under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source, for agricultural facilities and practices that are constructed or begun before that date shall be consistent with

the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3). The land conservation committee shall use the rules promulgated under s. 281.16 (3) (e) to determine whether cost–sharing is available.

**SECTION 1909w.** 92.08 of the statutes is repealed.

**SECTION 1910e.** 92.10 (3) of the statutes is repealed.

**SECTION 1910h.** 92.10 (4) (c) of the statutes is amended to read:

92.10 **(4)** (c) *Plan assistance.* The department shall assist land conservation committees in preparing land and water resource management plans. ~~The department may allocate funds appropriated under s. 20.115 (7) (c) to land conservation committees in identified priority counties to cover up to 50% of the cost of preparing land and water resource management plans.~~

**SECTION 1913b.** 92.10 (6) (a) of the statutes is repealed and recreated to read:

92.10 **(6)** (a) *Plan preparation.* A land conservation committee shall prepare a land and water resource management plan that, at a minimum, does all of the following:

1. Includes an assessment of water quality and soil erosion conditions throughout the county, including any assessment available from the department of natural resources.

2. Specifies water quality objectives for each water basin, priority watershed, as defined in s. 281.65 (2) (c), and priority lake, as defined in s. 281.65 (2) (be).

3. Identifies the best management practices to achieve the objectives under subd. 2. and to achieve the tolerable erosion level under s. 92.04 (2) (i).

4. Identifies applicable performance standards and prohibitions related to the control of pollution from nonpoint sources, as defined in s. 281.65 (2) (b), and to soil

erosion control, including those under this chapter and chs. 281 and 283 and ss. 59.692 and 59.693.

5. Includes a multiyear description of planned county activities, and priorities for those activities, related to land and water resources, including those designed to meet the objectives specified under subd. 2. and to ensure compliance with the standards and prohibitions identified under subd. 4.

6. Describes a system to monitor the progress of activities described in the plan.

7. Includes a strategy to provide information and education related to soil and water resource management.

8. Describes methods for coordinating activities described in the plan with programs of other local, state and federal agencies.

**SECTION 1913m.** 92.10 (8) of the statutes is created to read:

92.10 **(8)** DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES. The department of natural resources shall provide counties with assistance in land and water resource management planning, including providing available water quality data and information, providing training and support for water resource assessments and appraisals and providing related program information.

**SECTION 1915b.** 92.105 (1) of the statutes is amended to read:

92.105 **(1)** ESTABLISHMENT. A land conservation committee shall establish soil and water conservation standards. The standards ~~and specifications~~ for agricultural facilities and practices that are constructed or begun on or after October 14, 1997, and, if cost–sharing is available to the farmer under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source, for agricultural facilities and practices that are constructed or begun before that date shall be consistent with the performance standards,

prohibitions, conservation practices and technical standards under s. 281.16 (3). It shall submit these standards to the board for review.

**SECTION 1922w.** 92.14 (2) (c) of the statutes is amended to read:

92.14 **(2)** (c) Providing statewide financial and technical assistance for land and water conservation activities at the county level.

**SECTION 1922y.** 92.14 (2) (j) of the statutes is amended to read:

92.14 **(2)** (j) Enhancing the administration and coordination of state nonpoint source water pollution abatement activities by the department and the department of natural resources, including providing a single process for grant application, funding allocation, reporting and evaluation.

**SECTION 1923w.** 92.14 (3) (intro.) of the statutes is amended to read:

92.14 **(3)** BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties ~~meet administrative and technical operating costs in~~ fund their land and water conservation activities, the department shall award ~~grants~~ an annual grant from the appropriation under s. 20.115 (7) (c) or (qd) or s. 20.866 (2) (we) to any county land conservation committee ~~which~~ that has a ~~workload allocation~~ land and water resource management plan approved by the department under s. ~~92.08 (2)~~ 92.10 (4) (d), and ~~which~~ that, by county board action, has resolved to ~~match any moneys granted under this subsection with an equal amount of county moneys~~ provide any matching funds required under sub. (5g). The county ~~shall~~ may use the grant for ~~county~~ land and water resource management planning and for any of the following purposes, consistent with the approved land and water resource management plan:

(a) County land conservation personnel to administer and implement activities directly related to any of the following:

**SECTION 1924b.** 92.14 (3) (a) and (b) of the statutes are renumbered 92.14 (3) (a) 1. and 2.

**SECTION 1924c.** 92.14 (3) (c) of the statutes is repealed.

**SECTION 1924d.** 92.14 (3) (d) and (e) of the statutes are renumbered 92.14 (3) (a) 4. and 5.

**SECTION 1924f.** 92.14 (3) (f) of the statutes is created to read:

92.14 **(3)** (f) Training required under s. 92.18 or any other training necessary to prepare personnel to perform job duties related to this section or s. 281.65.

**SECTION 1924h.** 92.14 (3) (g) of the statutes is created to read:

92.14 **(3)** (g) Technical assistance, education and training, ordinance development or administration related to this chapter or s. 281.65.

**SECTION 1924m.** 92.14 (3m) (title) of the statutes is repealed.

**SECTION 1924n.** 92.14 (3m) of the statutes is renumbered 92.14 (3) (b), and 92.14 (3) (b) (intro.), as renumbered, is amended to read:

92.14 **(3)** (b) (intro.) ~~From the appropriation under s. 20.115 (7) (c) or (qd) or 20.866 (2) (we), the department shall award grants to counties or~~ <u>Grants to</u> farmers for implementing best management practices required under a shoreland management ordinance enacted under s. 92.17, including reimbursement for all of the following:

**SECTION 1924q.** 92.14 (4) (intro.) of the statutes is repealed.

**SECTION 1924s.** 92.14 (4) (a) of the statutes is renumbered 92.14 (3) (c).

**SECTION 1925b.** 92.14 (4) (b) of the statutes is renumbered 92.14 (3) (d).

**SECTION 1925e.** 92.14 (4) (c) of the statutes is renumbered 92.14 (3) (e) and amended to read:

92.14 **(3)** (e) Construction of a facility or system related to animal waste management by a farmer who has received a notice of discharge under ch. 283 or management practices required under a notice to a farmer under s. 281.20 (3). ~~In awarding grants under this paragraph, the department shall give preference to farmers who have received a notice of discharge under s. 281.20 (3) or ch. 283.~~ The amount of a grant for management practices required under a notice to a farmer under s. 281.20 (3) shall be based on the cost of the method of controlling nonpoint source pollution ~~which~~ <u>that</u> the department determines to be the most cost–effective ~~and may not exceed 70% of the total cost of that method. The department may issue grants directly to farmers under this paragraph~~.

**SECTION 1925g.** 92.14 (4m) of the statutes is repealed.

**SECTION 1925i.** 92.14 (4r) of the statutes is repealed.

**SECTION 1925k.** 92.14 (5) of the statutes is repealed.

**SECTION 1925m.** 92.14 (5g) of the statutes is created to read:

92.14 **(5g)** MATCHING FUNDS. If a grant under sub. (3) provides funding for salary and fringe benefits for more than one county staff person, a county shall provide matching funds equal to 30% of the cost of salary and fringe benefits for the 2nd staff person and 50% of the cost of salary and fringe benefits for any additional staff persons for whom the grant provides funding.

**SECTION 1925p.** 92.14 (5r) of the statutes is created to read:

92.14 **(5r)** ANNUAL GRANT REQUEST. Every land conservation committee shall prepare annually a grant request that describes the land and water resource staffing needs and activities to be undertaken or funded by the county under this chapter and ss. 281.65 and 281.66 and the funding needed for those purposes. The grant request

shall be consistent with the county's plan under s. 92.10. The land conservation committee shall submit the grant request to the department.

**SECTION 1925r.** 92.14 (6) (a) of the statutes is repealed.

**SECTION 1925t.** 92.14 (6) (b) of the statutes is amended to read:

92.14 **(6)** (b) The department~~, in cooperation with~~ and the department of natural resources~~,~~ shall prepare an annual grant allocation plan~~, that is consistent with the spending levels approved under par. (a),~~ identifying the amounts to be ~~spent annually for land and water resource management projects to be funded~~ provided to counties under this section and ~~the general purposes of those projects, which it shall specify~~ ss. 281.65 and 281.66. In the allocation plan, the departments shall attempt to provide funding under this section for an average of 3 staff persons per county with full funding for the first staff person, 70% funding for the 2nd staff person and 50% funding for any additional staff persons and to provide an average of $100,000 per county for cost–sharing grants. The department shall submit that plan to the board.

**SECTION 1926b.** 92.14 (6) (c) of the statutes is repealed.

**SECTION 1926c.** 92.14 (6) (d) of the statutes is amended to read:

92.14 **(6)** (d) The board shall review the annual allocation plan submitted to it under par. (b) and make recommendations to the department of agriculture, trade and consumer protection and the department of natural resources on approval, modification or disapproval of the plan. ~~The department shall review and approve or disapprove the plan and shall notify the board of the department's final action on the plan.~~

**SECTION 1926e.** 92.14 (6) (e) of the statutes is repealed.

**SECTION 1926f.** 92.14 (6) (f) of the statutes is repealed.

**SECTION 1926g.** 92.14 (6) (g) of the statutes is amended to read:

92.14 **(6)** (g) Every ~~project~~ grant awarded ~~a grant~~ to a county under this section and s. 281.65 shall be consistent with the plans under s. 92.15, 1985 stats., and under this section and ss. ~~92.08,~~ 92.10 and 281.65.

**SECTION 1926i.** 92.14 (6) (gm) of the statutes is created to read:

92.14 **(6)** (gm) A county may not provide cost–sharing funds using funds provided under this section in an amount that exceeds 70% of the cost of a project, except in cases of economic hardship, as defined by the department by rule.

**SECTION 1926j.** 92.14 (6) (h) 1. (intro.) of the statutes is amended to read:

92.14 **(6)** (h) 1. (intro.) ~~The department~~ A county may not ~~make a grant under this section~~ provide cost–sharing funds using funds provided under this section for the construction of any facility or system related to animal waste management unless all of the following conditions are met:

**SECTION 1926k.** 92.14 (6) (h) 1. e. of the statutes is repealed.

**SECTION 1926m.** 92.14 (6) (h) 2. of the statutes is repealed.

**SECTION 1926p.** 92.14 (6) (h) 4. of the statutes is repealed.

**SECTION 1926q.** 92.14 (6) (i) 2. of the statutes is amended to read:

92.14 **(6)** (i) 2. Conduct all land management and pollutant management activities in substantial accordance with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 and with plans approved under this section, under s. 92.15, 1985 stats., and under ss. ~~92.08,~~ 92.10 and 281.65, or to repay the cost–sharing funds.

**SECTION 1926s.** 92.14 (6) (j) of the statutes is repealed.

**SECTION 1926t.** 92.14 (6) (L) of the statutes is amended to read:

92.14 **(6)** (L) ~~The department may make a~~ A county may provide cost–sharing funds from a grant under this section to replace a structure or facility at a new

location, rather than to repair or reconstruct the structure or facility, if the relocation reduces water pollution and replacement is cost–effective compared to repairing or reconstructing the structure or facility.

**SECTION 1926u.** 92.14 (6) (m) of the statutes is created to read:

92.14 **(6)** (m) The department of agriculture, trade and consumer protection and the department of natural resources shall assist counties in conducting the activities for which grants under sub. (3) may be used.

**SECTION 1926v.** 92.14 (10) of the statutes is amended to read:

92.14 **(10)** TRAINING. ~~The county may use a grant under this section for training required under s. 92.18 or for any other training necessary to prepare personnel to perform job duties related to this section.~~ The department may contract with any person for services to administer or implement this chapter, including information and education and training.

**SECTION 1926w.** 92.14 (11) of the statutes is repealed.

**SECTION 1926x.** 92.14 (14) of the statutes is amended to read:

92.14 **(14)** APPLICATION, ALLOCATION, REPORTING AND EVALUATION ~~FORMS~~. The department, jointly with the department of natural resources, shall develop a single set of grant application, reporting and evaluation forms for use by counties receiving grants under this section and ~~s.~~ ss. 281.65 and 281.66. The department, jointly with the department of natural resources, shall implement a single process for grant application, funding allocation, reporting and evaluation for counties receiving grants under this section and ss. 281.65 and 281.66.

**SECTION 1926y.** 92.14 (14m) of the statutes is created to read:

92.14 **(14m)** COORDINATION. The department of agriculture, trade and consumer protection and the department of natural resources, jointly, shall review

applications from counties for grants under sub. (5r) and, for projects and activities selected to receive funding shall determine whether to provide funding under this section or under s. 281.65 or 281.66.

**SECTION 1926ye.** 92.15 (4) of the statutes is amended to read:

92.15 **(4)** A local governmental unit may not apply a regulation under sub. (2) or (3) to a livestock operation that exists on October 14, 1997, unless the local governmental unit determines, using the rules promulgated under s. 281.16 (3) (e), that cost–sharing is available to the owner or operator of the livestock operation under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source.

**SECTION 1926ym.** 92.17 (2m) of the statutes is amended to read:

92.17 **(2m)** AUTHORITY TO ENFORCE ORDINANCE. A county~~, city, village or town~~ may not enforce a shoreland management ordinance unless the county uses funds ~~have been appropriated~~ provided under s. 92.14 (3) for grants for the purposes under s. 92.14 ~~(3m)~~ (3) (b). A city, village or town may not enforce a shoreland management ordinance unless the county in which the city, village or town is located uses funds provided under s. 92.14 (3) for grants for the purposes under s. 92.14 (3) (b).

**SECTION 1926yr.** 92.18 (2m) of the statutes is created to read:

92.18 **(2m)** If a person is certified under this section to review plans for, or conduct inspections of, a type of agricultural engineering practice at one of the levels under sub. (2) (c), the department shall allow the person to review plans for, or conduct inspections of, all types of agricultural engineering practices at that same level without requiring any additional certification.

**SECTION 1927.** 93.06 (1n) of the statutes is created to read:

93.06 **(1n)** ELECTRONIC PROCESSING. (a) Accept and process by electronic means applications and payments for licenses, permits, registrations and certificates that are issued by the department.

(b) Accept and process by electronic means requests and payments for goods and services that the department is authorized to provide.

(c) Promulgate rules specifying fees to cover the department's electronic processing costs under pars. (a) and (b). The fees under this paragraph are in addition to any other fees required to be paid to the department.

**SECTION 1928.** 93.06 (12) of the statutes is created to read:

93.06 **(12)** FEDERAL DAIRY POLICY REFORM. Provide assistance to organizations to seek the reform of federal milk marketing orders and other federally authorized dairy pricing policies for the benefit of milk producers in this state.

**SECTION 1929.** 93.06 (12) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 1930.** 93.06 (13) of the statutes is created to read:

93.06 **(13)** PLANT PROTECTION AGREEMENTS. Enter into cooperative agreements with corporations, associations, foundations and individuals to carry out plant protection activities under ch. 94.

**SECTION 1930j.** 93.07 (3) of the statutes is amended to read:

93.07 **(3)** PROMOTION OF AGRICULTURE. To promote the interests of agriculture, dairying, horticulture, manufacturing, commercial fishing and the domestic arts and to advertise Wisconsin and its dairy, food and agricultural products by conducting campaigns of education throughout the United States and in foreign markets. Such campaigns shall include the distribution of educational and advertising material concerning Wisconsin and its plant, animal, food and dairy products. The

department shall coordinate efforts by the state to advertise and promote agricultural products of this state, with the department of commerce where appropriate. The department shall submit its request and plan for market development program expenditures for each biennium with its biennial budget request. The plan shall include the identification and priority of expenditures for each market development program activity. In each fiscal year, the department shall seek federal moneys for the promotion of exports of agricultural products in an amount at least equal to $130,000 plus the amount of federal moneys received for this purpose in fiscal year 1998–99.

**SECTION 1932.** 93.135 (1) (b) of the statutes is amended to read:

93.135 **(1)** (b) A license under s. 94.10 (2), (3) or ~~(4)~~ (3g).

**SECTION 1932m.** 93.32 of the statutes is created to read:

**93.32 Agriculture in the classroom program.** From the appropriation account under s. 20.115 (4) (q), the department shall provide grants to the Wisconsin Farm Bureau Federation for an agriculture in the classroom program conducted in cooperation with the federal department of agriculture to help teachers educate students about agriculture. In each fiscal year, the department shall provide $3 for every $2 that the Wisconsin Farm Bureau Federation provides for the program in that fiscal year, up to the amount appropriated under s. 20.115 (4) (q).

**SECTION 1933.** 93.60 of the statutes is repealed.

**SECTION 1933g.** 93.70 of the statutes is created to read:

**93.70 Conservation reserve enhancement program.** The department may expend funds from the appropriation account under s. 20.115 (7) (b) for participation by this state in the conservation reserve enhancement program as

approved by the secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

**SECTION 1934.** 94.10 of the statutes is repealed and recreated to read:

**94.10 Nursery stock; inspection and licensing. (1)** DEFINITIONS. In this section:

(a) "Christmas tree grower" means a person who grows evergreen trees for eventual harvest and sale as Christmas trees, except that "Christmas tree grower" does not include a person who grows evergreen trees for eventual harvest and sale as Christmas trees if the person also grows nursery stock for sale and if the amount of the person's annual sales of nursery stock is more than 50% of the amount of the person's annual sales of nursery stock plus Christmas trees.

(b) "Nonprofit organization" means an organization described in section 501 (c) of the Internal Revenue Code that is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

(c) "Nursery" means premises in this state on which a person propagates or grows nursery stock for sale, except that "nursery" does not include premises on which a person propagates or grows nursery stock for sale if the person also grows evergreen trees for eventual harvest and sale as Christmas trees and if the amount of the person's annual sales of Christmas trees is 50% or more of the amount of the person's annual sales of Christmas trees plus nursery stock. "Nursery" does not include heeling–in grounds or other premises where a person holds nursery stock for purposes other than propagation or growth.

(d) "Nursery dealer" means a person, other than a nursery grower or Christmas tree grower, who sells, offers for sale or distributes nursery stock from a location in

this state, except that "nursery dealer" does not include an employe of a person licensed under this section.

(e) "Nursery grower" means a person who owns or operates a nursery.

(f) "Nursery stock" means plants and plant parts that can be propagated or grown, excluding seeds, sod, cranberry cuttings, annuals and evergreen trees grown for eventual harvest and sale as Christmas trees.

(g) "Officially inspected source" means any of the following:

1. A nursery dealer licensed under sub. (2).

2. A nursery grower licensed under sub. (3).

2m. A Christmas tree grower licensed under sub. (3g).

3. A source outside this state that the department recognizes under sub. (10) as an officially inspected source.

(j) "Sell" means to transfer ownership, for consideration.

**(2)** NURSERY DEALER; ANNUAL LICENSE. (a) *License required*. Except as provided in par. (f), no person may operate as a nursery dealer without an annual license from the department. A nursery dealer license expires on February 20. A nursery dealer license may not be transferred to another person.

(b) *Applying for a license*. A person applying for a nursery dealer license under par. (a) shall apply on a form provided by the department. An applicant shall provide all of the following to the department:

1. The applicant's legal name and address and any other name under which the applicant does business.

2. The address of each location at which the applicant proposes to hold nursery stock for sale.

3. The license fee required under par. (c).

4. The surcharge required under par. (d), if any.

5. Other information reasonably required by the department for licensing purposes.

(c) *License fee.* A nursery dealer shall pay the following annual license fee, based on annual purchases calculated according to par. (e):

1. If the nursery dealer buys no more than $5,000 worth of nursery stock for resale, $30.

2. If the nursery dealer buys more than $5,000 but not more than $20,000 worth of nursery stock for resale, $50.

3. If the nursery dealer buys more than $20,000 but not more than $100,000 worth of nursery stock for resale, $100.

4. If the nursery dealer buys more than $100,000 but not more than $200,000 worth of nursery stock for resale, $150.

5. If the nursery dealer buys more than $200,000 but not more than $500,000 worth of nursery stock for resale, $200.

6. If the nursery dealer buys more than $500,000 but not more than $2,000,000 worth of nursery stock for resale, $300.

7. If the nursery dealer buys more than $2,000,000 worth of nursery stock for resale, $400.

(d) *Surcharge for operating without a license.* In addition to the fee required under par. (c), an applicant for a nursery dealer license shall pay a surcharge equal to the amount of that fee if the department determines that, within 365 days before submitting the application, the applicant operated as a nursery dealer without a license in violation of par. (a). Payment of the surcharge does not relieve the

applicant of any other penalty or liability that may result from the violation, but does not constitute evidence of a violation of par. (a).

(e) *Calculating annual purchases.* The amount of an applicant's license fee under par. (c) for a license year shall be based on the applicant's purchases of nursery stock during the applicant's preceding fiscal year, except that if the applicant made no purchases of nursery stock during the preceding fiscal year the fee shall be based on the applicant's good faith prediction of purchases during the license year for which the applicant is applying.

(f) *Exemptions.* Paragraph (a) does not apply to any of the following:

1. A person whose only sales of nursery stock are retail sales totaling less than $250 annually.

2. A person selling or offering to sell nursery stock for the benefit of a nonprofit organization, for a period of not more than 7 consecutive days.

**(3)** NURSERY GROWER; ANNUAL LICENSE. (a) *License required.* Except as provided in par. (f), no person may operate as a nursery grower without an annual license from the department. A nursery grower license expires on February 20. A nursery grower license may not be transferred to another person.

(b) *Applying for a license.* A person applying for a nursery grower license under par. (a) shall apply on a form provided by the department. An applicant shall provide all of the following to the department:

1. The applicant's legal name and address and any other name under which the applicant does business.

2. The address of each location in this state at which the applicant operates a nursery, grows evergreen trees for eventual sale as Christmas trees or holds nursery stock or Christmas trees for sale.

3. The license fee required under par. (c).

4. The surcharge required under (d), if any.

5. Other information reasonably required by the department for licensing purposes.

(c) *License fee.* A nursery grower shall pay the following annual license fee, based on annual sales calculated according to par. (e):

1. If the nursery grower annually sells no more than $5,000 worth of nursery stock and Christmas trees, $55.

2. If the nursery grower annually sells more than $5,000 but not more than $20,000 worth of nursery stock and Christmas trees, $100.

3. If the nursery grower annually sells more than $20,000 but not more than $100,000 worth of nursery stock and Christmas trees, $200.

4. If the nursery grower annually sells more than $100,000 but not more than $200,000 worth of nursery stock and Christmas trees, $400.

5. If the nursery grower annually sells more than $200,000 but not more than $500,000 worth of nursery stock and Christmas trees, $600.

6. If the nursery grower annually sells more than $500,000 but not more than $2,000,000 worth of nursery stock and Christmas trees, $1,200.

7. If the nursery grower annually sells more than $2,000,000 worth of nursery stock and Christmas trees, $2,400.

(d) *Surcharge for operating without a license.* In addition to the fee required under par. (c), an applicant for a nursery grower license shall pay a surcharge equal to the amount of that fee if the department determines that, within 365 days before submitting that application, the applicant operated as a nursery grower without a license in violation of par. (a). Payment of the surcharge does not relieve the

applicant of any other penalty or liability that may result from the violation, but does not constitute evidence of a violation of par. (a).

(e) *Calculating annual sales.* The amount of an applicant's license fee under par. (c) for a license year shall be based on the applicant's sales of nursery stock and Christmas trees during the applicant's preceding fiscal year, except that if the applicant made no sales during the preceding fiscal year the fee shall be based on the applicant's good faith prediction of sales during the license year for which the applicant is applying.

(f) *Exemptions.* Paragraph (a) does not apply to any of the following:

1. A nursery grower whose only sales of nursery stock and Christmas trees are retail sales totaling less than $250 annually.

2. A person growing nursery stock only for sale for the benefit of a nonprofit organization, for a period of not more than 7 days.

**(3g)** CHRISTMAS TREE GROWER; ANNUAL LICENSE. (a) *License required.* Except as provided in par. (e), no person may operate as a Christmas tree grower without an annual license from the department. A Christmas tree grower license expires on February 20. A Christmas tree grower license may not be transferred to another person.

(b) *Applying for a license.* A person applying for a Christmas tree grower license under par. (a) shall apply on a form provided by the department. An applicant shall provide all of the following to the department:

1. The applicant's legal name and address and any other name under which the applicant does business.

2. The address of each location in this state at which the applicant grows evergreen trees for eventual sale as Christmas trees or nursery stock or at which the applicant holds Christmas trees or nursery stock for sale.

3. The license fee required under par. (c).

4. Other information reasonably required by the department for licensing purposes.

(c) *License fee.* A Christmas tree grower shall pay the following annual license fee, based on annual sales calculated according to par. (d):

1. If the Christmas tree grower annually sells no more than $5,000 worth of Christmas trees and nursery stock, $20.

2. If the Christmas tree grower annually sells more than $5,000 but not more than $20,000 worth of Christmas trees and nursery stock, $55.

3. If the Christmas tree grower annually sells more than $20,000 but not more than $100,000 worth of Christmas trees and nursery stock, $90.

4. If the Christmas tree grower annually sells more than $100,000 but not more than $200,000 worth of Christmas trees and nursery stock, $150.

5. If the Christmas tree grower annually sells more than $200,000 but not more than $500,000 worth of Christmas trees and nursery stock, $250.

6. If the Christmas tree grower annually sells more than $500,000 but not more than $2,000,000 worth of Christmas trees and nursery stock, $450.

7. If the Christmas tree grower annually sells more than $2,000,000 worth of Christmas trees and nursery stock, $900.

(d) *Calculating annual sales.* The amount of an applicant's license fee under par. (c) for a license year shall be based on the applicant's sales of Christmas trees and nursery stock during the applicant's preceding fiscal year, except that if the

applicant made no sales during the preceding fiscal year the fee shall be based on the applicant's good faith prediction of sales during the license year for which the applicant is applying.

(e) *Exemption*. Paragraph (a) does not apply to a Christmas tree grower whose only sales of Christmas trees and nursery stock are retail sales totalling less than $250 annually.

**(3m)** NOTICE OF NEW LOCATIONS. (a) The holder of a nursery dealer license shall notify the department in writing before adding, during a license year, any new location at which the license holder will hold nursery stock for sale. The license holder shall specify the address of the new location in the notice.

(b) The holder of a nursery grower or Christmas tree grower license shall notify the department in writing before adding, during the license year, any new location at which the license holder will operate a nursery, grow evergreen trees for eventual sale as Christmas trees or hold Christmas trees or nursery stock for sale. The license holder shall specify the address of the new location in the notice.

**(4)** NURSERY GROWERS AND DEALERS; RECORDS. (a) *Nursery dealers; records of nursery stock received*. A nursery dealer shall keep a record of every shipment of nursery stock received by the nursery dealer. The nursery dealer shall include all of the following in the record:

1. A description of the types of nursery stock, and the quantity of nursery stock of each type, included in the shipment.

2. The name and address of the source from which the nursery dealer received the shipment.

(b) *Nursery growers and dealers; records of shipments to other nursery growers and dealers*. Each nursery grower and nursery dealer shall record every shipment

of nursery stock that the nursery grower or nursery dealer sells or distributes to another nursery grower or nursery dealer. The nursery grower or nursery dealer shall include all of the following in the record:

1. A description of the types of nursery stock, and the quantity of nursery stock of each type, included in the shipment.

2. The name and address of the nursery grower or nursery dealer receiving the shipment.

(c) *Records retained and made available.* A nursery grower or nursery dealer who is required to keep records under par. (a) or (b) shall retain those records for at least 3 years and shall make those records available to the department for inspection and copying upon request.

**(5)** LABELING NURSERY STOCK. (a) *Nursery stock shipped to grower or dealer.* No person may sell or distribute any shipment of nursery stock to a nursery grower or nursery dealer, and no nursery grower or nursery dealer may accept a shipment of nursery stock, unless the nursery stock was grown by a Christmas tree grower or unless that shipment is labeled with all of the following:

1. The name and address of the person selling or distributing the shipment to the nursery grower or nursery dealer.

2. A certification, by the person under subd. 1., that all of the nursery stock included in the shipment is from officially inspected sources.

(b) *Growers and dealers to report unlabeled shipments.* Whenever any person tenders to a nursery grower or nursery dealer any shipment of nursery stock that is not fully labeled according to par. (a), the nursery grower or nursery dealer shall promptly report that unlabeled shipment to the department.

(c) *Nursery stock sold at retail.* A person selling nursery stock at retail shall ensure that the nursery stock is labeled with the common or botanical name of the nursery stock.

**(6)** CARE OF NURSERY STOCK. (a) *Adequate facilities.* A nursery grower or nursery dealer shall maintain facilities that are reasonably adequate for the care and keeping of nursery stock held for sale, so that the nursery grower or nursery dealer can keep the nursery stock in healthy condition pending sale.

(b) *Reasonable examinations.* Nursery growers and nursery dealers shall make reasonable examinations of nursery stock held for sale to determine whether that nursery stock is capable of reasonable growth, is infested with injurious pests or is infected with disease.

**(7)** PROHIBITIONS. (a) *Nursery dealers.* No nursery dealer may do any of the following:

1. Obtain, hold, sell, offer to sell or distribute nursery stock from any source other than an officially inspected source.

2. Misrepresent that the nursery dealer is a nursery grower.

(b) *Nursery growers and dealers.* No nursery grower or nursery dealer may do any of the following:

1. Sell, offer to sell or distribute any nursery stock that the nursery grower or nursery dealer knows, or has reason to know, is infested with plant pests or infected with plant diseases that may be spread by the sale or distribution of that nursery stock.

2. Sell, offer to sell or distribute any nursery stock that the nursery grower or nursery dealer knows, or has reason to know, will not survive or grow.

3. Misrepresent the name, origin, grade, variety, quality or hardiness of any nursery stock offered for sale or make any other false or misleading representation in the advertising or sale of nursery stock.

4. Conceal nursery stock to avoid inspection by the department, falsify any record required under this section or make any false or misleading statement to the department.

**(8)** DEPARTMENT INSPECTION. The department may inspect nurseries and premises at which nursery stock is held for sale or distribution. The department may inspect premises at which Christmas tree growers grow nursery stock, premises at which evergreen trees are grown for eventual sale as Christmas trees and premises at which Christmas trees are held for sale or distribution.

**(9)** DEPARTMENT ORDERS. (a) *Holding orders and remedial orders.* An authorized employe or agent of the department may, by written notice, order a nursery grower or nursery dealer to do any of the following:

1. Temporarily hold nursery stock pending inspection by the department.

2. Remedy violations of this section.

3. Refrain from importing weeds or pests that threaten agricultural production or the environment in this state.

4. Permanently withhold nursery stock from sale or distribution, if the sale or distribution would violate this section or an order issued under this section and the violation cannot be adequately remedied in another manner.

5. Destroy or return, without compensation from the department, nursery stock that is sold or distributed in violation of this section, or an order issued under this section, if the violation cannot be adequately remedied in another manner.

(b) *Hearing.* If the recipient of an order under par. (a) requests a hearing on that order, the department shall hold an informal hearing within 10 days unless the recipient of the order consents to a later date for an informal hearing. The request for a hearing is not a request under s. 227.42 (1). If a contested matter is not resolved at the informal hearing, the recipient of the order is entitled to a class 2 contested case hearing under ch. 227. The department is not required to stay an order under par. (a) pending the outcome of any hearing under this paragraph.

**(10)** RECIPROCAL AGREEMENTS WITH OTHER STATES. (a) *General.* The department may enter into reciprocal agreements with other states to facilitate interstate shipments of nursery stock.

(b) *Officially inspected sources.* As part of an agreement under par. (a), the department may recognize sources of nursery stock in another state as officially inspected sources.

(c) *Inspection and certification standards.* An agreement under par. (a) may specify standards and procedures for all of the following:

1. Inspecting officially inspected sources of nursery stock.

2. Inspecting and certifying interstate shipments of nursery stock.

**SECTION 1935.** 94.50 (2) of the statutes is amended to read:

94.50 **(2)** GROWERS AND DEALERS; REGISTRATION. No person may act as a grower or a dealer unless he or she is registered with the department. Any person who acts as a dealer and a grower shall register as both. Registrations shall be made annually on a form provided by the department. Registrations expire on December 31 of each year. A dealer shall pay to the department an annual registration fee of $25. The department shall assign a registration number to each person registered under this

subsection. All moneys collected under this subsection shall be credited to the appropriation account under s. 20.115 (7) (ga).

**SECTION 1936.** 94.50 (3) (b) of the statutes is amended to read:

94.50 **(3)** (b) The department shall upon request provide each registered grower and dealer with shipment certificates and report forms required under par. (a). The department shall stamp each shipment certificate and report form with the registration number of the grower or dealer. A shipment certificate and report form is valid only if used during the registration period for which the stamp registration number of the grower or dealer was issued. The department may charge a reasonable fee to recover the costs related to providing shipment certificates and report forms. All moneys collected under this paragraph shall be credited to the appropriation account under s. 20.115 (7) (ga).

**SECTION 1937.** 94.64 (4) (a) 1. of the statutes is amended to read:

94.64 **(4)** (a) 1. A basic fee of ~~25~~ 23 cents per ton for fertilizer sold or distributed ~~from July 1, 1997, to June 30, 1999~~ beginning on the effective date of this subdivision .... [revisor inserts date], and ending on June 30, 2001, and ~~32~~ 30 cents per ton for fertilizer sold or distributed after June 30, ~~1999~~ 2001, with a minimum fee of $25.

**SECTION 1938.** 94.64 (4) (a) 6. of the statutes is created to read:

94.64 **(4)** (a) 6. Beginning on the effective date of this subdivision .... [revisor inserts date], a weights and measures inspection fee of 2 cents per ton, with a minimum fee of $1.

**SECTION 1939.** 94.64 (4) (c) 6. of the statutes is created to read:

94.64 **(4)** (c) 6. The department shall credit the fee under par. (a) 6. to the appropriation account under s. 20.115 (1) (j).

**SECTION 1940.** 94.681 (2) (a) 1. to 3. of the statutes are amended to read:

94.681 **(2)** (a) 1. If the applicant sold less than $25,000 of the product during the preceding year for use in this state, $265, except that the fee is $215 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

2. If the applicant sold at least $25,000 but less than $75,000 of the product during the preceding year for use in this state, $750, except that the fee is $650 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

3. If the applicant sold at least $75,000 of the product during the preceding year for use in this state, $1,500, except that the fee is $1,200 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

**SECTION 1941.** 94.681 (2) (b) 1. to 3. of the statutes are amended to read:

94.681 **(2)** (b) 1. If the applicant sold less than $25,000 of the product during the preceding year for use in this state, $315, except that the fee is $265 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

2. If the applicant sold at least $25,000 but less than $75,000 of the product during the preceding year for use in this state, $860, except that the fee is $760 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

3. If the applicant sold at least $75,000 of that product during the preceding year for use in this state, $3,060, except that the fee is $2,760 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

**SECTION 1942.** 94.681 (2) (c) 1. to 3. of the statutes are amended to read:

94.681 **(2)** (c) 1. If the applicant sold less than $25,000 of that product during the preceding year for use in this state, $320, except that the fee is $270 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

2. If the applicant sold at least $25,000 but less than $75,000 of the product during the preceding year for use in this state, $890, except that the fee is $790 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

3. If the applicant sold at least $75,000 of the product during the preceding year for use in this state, $3,060 plus 0.2% of the gross revenues from sales of the product during the preceding year for use in this state, except that for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002, the fee shall be $2,760 plus 0.2% of the gross revenues from sales of the product during the preceding year for use in this state.

**SECTION 1942m.** 94.695 of the statutes is created to read:

**94.695 Pesticide sales and use reporting system. (1)** DEFINITIONS. In this section:

(a) "Household pesticide" has the meaning given in s. 94.681 (1) (a).

(b) "Industrial pesticide" has the meaning given in s. 94.681 (1) (b).

(c) "Municipality" means a city, village or town.

(d) "Nonhousehold pesticide" has the meaning given in s. 94.681 (1) (c).

**(2)** RESPONSIBILITIES OF THE DEPARTMENT. The department shall do all of the following:

(a) Develop and, beginning no later than January 1, 2003, administer a pesticide sales and use reporting system that provides a systematic method for collecting, retaining, analyzing and disseminating data related to pesticide sales and use in this state and that is integrated with statewide geographic information systems.

(b) Develop and, beginning no later than the first day of the 13th month beginning after the effective date of this paragraph .... [revisor inserts date], administer a pilot program to test the pesticide sales and use reporting system.

(c) Beginning no later than January 1, 2002, provide training and technical assistance to persons required to report under the system in par. (a) and to persons who wish to use the data collected under the system.

(d) No later than March 1 annually, beginning in 2004, submit to the legislature under s. 13.172 (2) a report on the system in par. (a), including a summary and analysis of the types and quantity of pesticides sold and applied during the previous calendar year and the areas to which those pesticides were applied.

**(3)** CONSULTATION. The department shall consult and coordinate with all of the following in discharging its responsibilities under sub. (2):

(a) The College of Agricultural and Life Sciences of the University of Wisconsin–Madison.

(b) Employes of the University of Wisconsin System who are knowledgeable in the area of environmental toxicology.

(c) The subunit of the department of natural resources that provides information technology support.

(d) The subunit of the department of health and family services that administers health laws.

(e) The division of technology services in the department of administration.

(f) The state cartographer.

(g) The geological and natural history survey.

(h) Representatives of the pest management industry, of agricultural, environmental, medical and public health institutions and advocacy groups, of school districts and of local governments.

(i) Other interested persons.

**(4)** RULE MAKING. The department shall promulgate rules for the pesticide sales and use reporting system in sub. (2) (a), including rules to ensure the consistent submission and dissemination of accurate pesticide sales and use data. The department shall provide for all of the following in the rules:

(a) Technical assistance for persons submitting pesticide sales and use data.

(b) Deadlines for submitting pesticide sales and use data.

(c) Methods for reviewing and analyzing the accuracy of the reported pesticide sales and use data.

(d) Mechanisms by which the department will make the reported pesticide sales and use data available to the public, including through the Internet and computer media.

**(5)** REPORTING OF SALES OF NONHOUSEHOLD AND INDUSTRIAL PESTICIDES. Under the pesticide sales and use reporting system in sub. (2) (a), the department shall require manufacturers, distributors and dealers of industrial pesticides and nonhousehold pesticides to report all of the following information:

(a) The date of sale, brand name and amount of each industrial pesticide and nonhousehold pesticide sold to each purchaser in this state.

(b) The name, address and 9–digit zip code of each purchaser under par. (a).

(c) The number of any license or certification under ss. 94.67 to 94.71 held by each purchaser under par. (a).

**(6)** REPORTING OF CERTAIN PESTICIDE APPLICATIONS. Under the pesticide sales and use reporting system in sub. (2) (a), the department shall require commercial applicators and private applicators to report all of the following for each application of an industrial pesticide or nonhousehold pesticide:

(a) The type of pesticide applied and its brand name, the name of the pesticide as registered under the federal act, the pesticide registration number assigned to the pesticide under the federal act, the manufacturer of the pesticide and the pesticide's active ingredients.

(b) The name and any certification number, under s. 94.705, of the person applying the pesticide.

(c) The date and time of the application and the amount of pesticide applied.

(d) How the pesticide was applied, including any additives used and the type of application device used.

(e) The rate of application of the pesticide.

(f) The street address, including 9–digit zip code, and the county of the place at which the pesticide was applied, the location of the application by section, township, range and meridian and an identification of any bodies of water or municipalities adjacent to that location.

(g) The size of the area to which the pesticide was applied.

(h) The type of site to which the pesticide was applied and the purpose of the application.

(i) A description of the crop, commodity, plant, animal, structure, equipment or material to which the pesticide was applied.

(j) The weather conditions during the application.

(k) The name of the person preparing the report and that person's relationship to the person applying the pesticide.

**(7)** REPORTING OF HOUSEHOLD PESTICIDE SALES AND USE. Under the pesticide sales and use reporting system in sub. (2) (a), the department shall collect data on the sale, use and result of use of household pesticides. The department may only require manufacturers and labelers required to be licensed under s. 94.68 to report on the amount of household pesticides sold. The department may purchase information concerning sales of household pesticides from marketing information businesses.

**(8)** LIMIT ON DISCLOSURE OF CERTAIN INFORMATION. (a) Except as provided in par. (b) or (c), upon written request by a property owner, the department shall treat as confidential information about pesticide sale or use for private agricultural purposes if the information would reveal the property to which a pesticide was applied or the name of the property owner.

(b) Paragraph (a) does not apply if the information is requested by any of the following:

1. A state or local government for any investigation, subject to any existing confidentiality requirements.

2. A governmental agency that makes provisions to protect the confidentiality of the information.

3. A researcher or physician who shows a valid need for the information and who makes provisions to protect the confidentiality of the information.

4. A state agency or public water supply system for water quality assessment, subject to any existing confidentiality requirements.

(c) Paragraph (a) does not apply after July 1, 2001, or after the day after publication of the 2001–03 biennial budget act, whichever is later.

**SECTION 1943.** 94.704 (3) (a) 1. of the statutes is amended to read:

94.704 **(3)** (a) 1. A license fee of $40, except that the license fee is $30 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

**SECTION 1944.** 94.72 (6) (a) 1. and 2. of the statutes are amended to read:

94.72 **(6)** (a) 1. For commercial feeds distributed in this state ~~during the years that begin on January 1, 1998, and on January 1, 1999, 15~~, beginning on the effective date of this subdivision .... [revisor inserts date], and ending on December 31, 2001, a feed inspection fee of 13 cents per ton.

2. For commercial feeds distributed in this state on or after January 1, ~~2000, 25~~ 2002, a feed inspection fee of 23 cents per ton.

**SECTION 1945.** 94.72 (6) (a) 3. of the statutes is created to read:

94.72 **(6)** (a) 3. Beginning on the effective date of this subdivision .... [revisor inserts date], for commercial feeds distributed in this state a weights and measures inspection fee of 2 cents per ton.

**SECTION 1945e.** 94.73 (2) (c) of the statutes is amended to read:

94.73 **(2)** (c) The department may issue an order under par. (a) on a summary basis without prior notice or a prior hearing if the department determines that a summary order is necessary to prevent imminent harm to public health or safety or to the environment. If the recipient of a summary order requests a hearing on that order, the department shall hold a hearing within 10 days after it receives the request unless the recipient agrees to a later hearing date. The department is not required to stay enforcement of a summary order issued under this paragraph

pending the outcome of the hearing. If the responsible person prevails after a hearing, the department shall reimburse the responsible person from the appropriation account under s. 20.115 (7) ~~(e) or~~ (wm) for the corrective action costs incurred as the result of the department's order.

**SECTION 1945g.** 94.73 (7) (a) of the statutes is amended to read:

94.73 **(7)** (a) The department may make payments to a responsible person who is eligible for reimbursement under sub. (3) if the department has authorized reimbursement to that person under sub. (6). The department shall make payment from the appropriation ~~accounts~~ account under s. 20.115 (7) ~~(e) and~~ (wm), subject to the availability of funds in ~~those~~ that appropriation ~~accounts~~ account. If there are insufficient funds to pay the full amounts authorized under sub. (6) to all eligible responsible persons, the department shall distribute payments in the order in which applications were received, unless the department specifies, by rule, a different order of payment.

**SECTION 1946.** 95.21 (9) (c) of the statutes is created to read:

95.21 **(9)** (c) The department may provide training to persons who administer local rabies control programs or who conduct rabies examinations under those programs. The department may charge fees to cover the cost of training. The fees collected under this paragraph shall be credited to the appropriation under s. 20.115 (2) (j).

**SECTION 1950m.** 98.01 (3) of the statutes is amended to read:

98.01 **(3)** "Municipality" means a city ~~or~~, village or town.

**SECTION 1951.** 98.04 (1) of the statutes is amended to read:

98.04 **(1)** ~~Each~~ Except as provided in sub. (2), a municipality having a population of more than 5,000, according to the ~~latest federal census~~ most recent

population estimate made by the department of administration under s. 16.96, shall enforce the provisions of this chapter within its jurisdiction. For this purpose ~~it~~, a municipality shall establish a municipal department of weights and measures. Each municipal department of weights and measures shall have such number of qualified sealers or inspectors as will ensure compliance with this chapter. Municipal sealers or inspectors shall have the same authority as sealers or inspectors of the department of agriculture, trade and consumer protection. The selection of municipal sealers or inspectors shall be from a list of applicants whose qualifications have been certified by the state or local civil service agency under the rules of the agency. ~~Such~~ The municipality shall procure and keep at all times a complete set of standards of weight and measure conforming to the state standards~~, and such standards shall be submitted~~ and shall submit the standards for certification at regular intervals as required by the department~~. It~~ of agriculture, trade and consumer protection. The municipality shall keep a complete record of its work and annually shall file a report thereof with the department of agriculture, trade and consumer protection. ~~Municipalities~~ The municipality may enact ordinances ~~regulating~~ that regulate weights and measures and that are not in conflict with this chapter or the rules of the department ~~and~~ of agriculture, trade and consumer protection. The municipality may assess fees ~~which~~ that do not exceed the actual cost of ~~the municipal~~ its weights and measures program.

**SECTION 1952.** 98.04 (2) of the statutes is repealed and recreated to read:

98.04 **(2)** A municipality that is required to establish a department of weights and measures under sub. (1) may contract with the department of agriculture, trade, and consumer protection to enforce the provisions of this chapter within the municipality's jurisdiction instead of establishing its own department if the

department of agriculture, trade and consumer protection agrees to enter into such a contract. The department of agriculture, trade and consumer protection may charge the municipality fees sufficient to cover the department's costs under the contract. A municipality may recover an amount not to exceed the cost of these fees by assessing fees on the persons who receive services under the weights and measures program.

**SECTION 1953.** 98.16 (2) (b) of the statutes, as affected by 1997 Wisconsin Act 27, section 2552f, is amended to read:

98.16 **(2)** (b) The fee for a license under par. (a) is ~~$30~~ $60, except that the department may establish a different fee by rule.

**SECTION 1960.** 100.261 of the statutes is created to read:

**100.261 Consumer information assessment. (1)** If a court imposes a fine or forfeiture for a violation of this chapter, ch. 98, a rule promulgated under this chapter or ch. 98 or an ordinance enacted under this chapter or ch. 98, the court shall also impose a consumer information assessment in an amount equal to 15% of the fine or forfeiture imposed. If multiple violations are involved, the court shall base the consumer information assessment upon the the total of the fine or forfeiture amounts for all violations. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the assessment in proportion to the suspension.

**(2)** If any deposit is made for a violation to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the consumer information assessment required under this section. If the deposit is forfeited, the amount of the consumer information assessment shall be transmitted to the state treasurer under sub. (3). If the deposit is returned, the consumer information assessment shall also be returned.

**(3)** (a) The clerk of court shall collect and transmit the consumer information assessment amounts to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer under s. 59.25 (3) (f) 2.

(b) 1. The state treasurer shall deposit the assessment amounts in the general fund and shall credit them to the appropriation account under s. 20.115 (1) (jb), subject to the limit under subd. 2.

2. The amount credited to the appropriation account under s. 20.115 (1) (jb) may not exceed $85,000 in each fiscal year.

**SECTION 1960d.** 100.30 (2) (c) 1. b. of the statutes is amended to read:

100.30 **(2)** (c) 1. b. For every person holding a permit as a distributor as defined in s. 139.30 (3) ~~or as a multiple retailer as defined in s. 139.30 (8)~~, with respect to that portion of the person's business which involves the purchase and sale of cigarettes**.** "cost to wholesaler" means the cost charged by the cigarette manufacturer, disregarding any manufacturer's discount or any discount under s. 139.32 (5), plus the amount of tax imposed under s. 139.31. Except for a sale at wholesale between wholesalers, a markup to cover a proportionate part of the cost of doing business shall be added to the cost to wholesaler. In the absence of proof of a lesser cost, this markup shall be 3% of the cost to wholesaler as set forth in this subd. 1. b.

**SECTION 1960h.** 100.30 (2) (f) of the statutes is amended to read:

100.30 **(2)** (f) With respect to the sale of merchandise other than motor vehicle fuel, "retailer" and "wholesaler" shall both be applied to any merchant who buys merchandise for resale at retail from the manufacturer or producer thereof ~~and to any wholesaler under par. (L) 2.~~ and, as to that merchandise or that wholesaler, the terms "cost to retailer" and "cost to wholesaler" as defined in pars. (am) and (c) shall both be applied, including the markup requirements.

**SECTION 1960p.** 100.30 (2) (L) (intro.) and 1. of the statutes are consolidated, renumbered 100.30 (2) (L) and amended to read:

100.30 **(2)** (L) (intro.) "Wholesaler" includes ~~every person holding a permit as a multiple retailer under s. 139.30 (8) and~~ every person engaged in the business of making sales at wholesale, other than sales of motor vehicle fuel at wholesale, within this state except ~~as follows: 1. In~~ that in the case of a person engaged in the business of selling both at wholesale and at retail, "wholesaler" applies only to the wholesale portion of that business.

**SECTION 1960t.** 100.30 (2) (L) 2. of the statutes is repealed.

**SECTION 1972.** 101.01 (4) of the statutes is amended to read:

101.01 **(4)** "Employer" means any person, firm, corporation, state, county, town, city, village, school district, sewer district, drainage district, family care district and other public or quasi–public corporations as well as any agent, manager, representative or other person having control or custody of any employment, place of employment or of any employe.

**SECTION 1972c.** 101.02 (18m) of the statutes is amended to read:

101.02 **(18m)** The department may perform, or contract for the performance of, testing of petroleum products other than testing provided under ch. 168. The department may establish a schedule of fees for such petroleum product testing services. The department shall credit all revenues received from fees established under this subsection to the appropriation account under s. 20.143 (3) (ga). Revenues from fees established under this subsection may be used by the department to pay for testing costs, including laboratory supplies and equipment amortization, for such products.

**SECTION 1972g.** 101.02 (20) (a) of the statutes is amended to read:

101.02 **(20)** (a) For purposes of this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

**SECTION 1972m.** 101.02 (21) (a) of the statutes is amended to read:

101.02 **(21)** (a) In this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under s. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

**SECTION 1973.** 101.09 (title) of the statutes is amended to read:

**101.09** (title) **Storage of flammable ~~and~~, combustible and hazardous liquids.**

**SECTION 1974.** 101.09 (1) (am) of the statutes is created to read:

101.09 **(1)** (am) "Federally regulated hazardous substance" means a hazardous substance, as defined in 42 USC 9601 (14).

**SECTION 1975.** 101.09 (2) (a) of the statutes is amended to read:

101.09 **(2)** (a) Except as provided under pars. (b) to (d), every person who constructs, owns or controls a tank for the storage, handling or use of ~~flammable or combustible~~ liquid that is flammable or combustible or a federally regulated hazardous substance shall comply with the standards adopted under sub. (3).

**SECTION 1976.** 101.09 (3) (a) of the statutes is amended to read:

101.09 **(3)** (a) The department shall promulgate by rule construction, maintenance and abandonment standards applicable to tanks for the storage, handling or use of ~~flammable and combustible~~ liquids that are flammable or combustible or are federally regulated hazardous substances, and to the property and facilities where the tanks are located, for the purpose of protecting the waters of the state from harm due to contamination by ~~flammable and combustible~~ liquids that are flammable or combustible or are federally regulated hazardous substances. The rule shall comply with ch. 160. The rule may include different standards for new and existing tanks, but all standards shall provide substantially similar protection for the waters of the state. The rule shall include maintenance requirements related to the detection and prevention of leaks. The rule may require any person supplying heating oil to any noncommercial storage tank for consumptive use on the premises to submit to the department, within 30 days after the department requests, the location, contents and size of any such tank.

**SECTION 1979.** 101.14 (5) of the statutes is amended to read:

101.14 **(5)** (a) Subject to par. (b), in addition to any fee charged by the department by rule for plan review and approval for the construction of a new or additional installation or change in operation of a previously approved installation for the storage, handling or use of ~~flammable or combustible liquids~~ a liquid that is flammable or combustible or a federally regulated hazardous substance, as defined in s. 101.09 (1) (am), the department shall collect a groundwater fee of $100 for each plan review submittal. The moneys collected under this subsection shall be credited to the environmental fund for environmental management.

(b) Notwithstanding par. (a), an installation for the storage, handling or use of ~~flammable or combustible liquids~~ a liquid that is flammable or combustible or a

federally regulated hazardous substance, as defined in s. 101.09 (1) (am), that has a capacity of less than 1,000 gallons is not subject to the groundwater fee under par. (a).

**SECTION 1979p.** 101.143 (1) (bm) of the statutes is created to read:

101.143 **(1)** (bm) "Enforcement standard" has the meaning given in s. 160.01 (2).

**SECTION 1979r.** 101.143 (1) (cq) of the statutes is created to read:

101.143 **(1)** (cq) "Natural attenuation" means the reduction in the concentration and mass of a substance, and the products into which the substance breaks down, due to naturally occurring physical, chemical and biological processes.

**SECTION 1979v.** 101.143 (2) (em) of the statutes is created to read:

101.143 **(2)** (em) 1. The department may promulgate rules that specify a fee that must be paid by a service provider as a condition of submitting a bid to conduct an activity under sub. (3) (c) for which a claim for reimbursement under this section will be submitted. Any fees collected under the rules shall be deposited into the petroleum inspection fund.

2. If the department promulgates rules under subd. 1., the department may purchase, or provide funding for the purchase of, insurance to cover the amount by which the costs of conducting activities under sub. (3) (c) exceed the amount bid to conduct those activities.

**SECTION 1980c.** 101.143 (2) (h) of the statutes is created to read:

101.143 **(2)** (h) The department of commerce and the department of natural resources, jointly, shall promulgate rules designed to facilitate effective and cost–efficient administration of the program under this section that specify all of the following:

1. Information that must be submitted under this section, including quarterly summaries of costs incurred with respect to a discharge for which a claim is intended to be submitted under sub. (3) but for which a final claim has not been submitted.

2. Formats for submitting the information under subd. 1.

3. Review procedures that must be followed by employes of the department of natural resources and the department of commerce in reviewing the information submitted under subd. 1.

**SECTION 1981c.** 101.143 (2) (i) of the statutes is created to read:

101.143 **(2)** (i) The department of commerce and the department of natural resources, jointly, shall promulgate rules specifying procedures for evaluating remedial action plans and procedures to be used by employes of the department of commerce and the department of natural resources while remedial actions are being conducted. The departments shall specify procedures that include all of the following:

1. Annual reviews that include application of the method in the rules promulgated under sub. (2e) (b) to determine the risk posed by discharges that are the subject of the remedial actions.

2. Annual reports by consultants estimating the additional costs that must be incurred to comply with sub. (3) (c) 3. and with enforcement standards.

3. A definition of "reasonable time" for the purpose of determining whether natural attenuation may be used to achieve enforcement standards.

4. Procedures to be used to measure concentrations of contaminants.

**SECTION 1981e.** 101.143 (2) (j) of the statutes is created to read:

101.143 **(2)** (j) The department of commerce and the department of natural resources, jointly, shall promulgate rules specifying all of the following:

1. The conditions under which employes of the department of commerce and the department of natural resources must issue approvals under sub. (3) (c) 4.

2. Training and management procedures to ensure that employes comply with the requirements under subd. 1.

**SECTION 1981g.** 101.143 (2) (k) of the statutes is created to read:

101.143 **(2)** (k) In promulgating rules under pars. (h) to (j), the department of commerce and the department of natural resources shall attempt to reach an agreement that is consistent with those provisions. If the department of commerce and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with pars. (h) to (j). The department of commerce and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of commerce and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

**SECTION 1981i.** 101.143 (2) (L) of the statutes is created to read:

101.143 **(2)** (L) The department may promulgate rules for the assessment and collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and for providing other assistance requested by applicants under this section. Any moneys collected under this paragraph shall be credited to the appropriation account under s. 20.143 (3) (Lm).

**SECTION 1982c.** 101.143 (2e) of the statutes is created to read:

101.143 **(2e)** RISK–BASED ANALYSIS. (a) The department of commerce and the department of natural resources shall attempt to agree on a method, which shall include consideration of the routes for migration of petroleum product contamination, for determining the risk to public health, safety and welfare and to the environment posed by discharges for which the department of commerce receives notification under sub. (3) (a) 3.

(b) If the department of commerce and the department of natural resources are unable to reach an agreement under par. (a), they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with par. (a). The department of commerce and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of commerce and the department of natural resources under par. (a) and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

(c) The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce shall apply the method in the rules promulgated under par. (b) to determine the risk posed by a discharge for which the department of commerce receives notification under sub. (3) (a) 3.

**SECTION 1983b.** 101.143 (3) (c) 2. of the statutes is amended to read:

101.143 **(3)** (c) 2. Prepare a remedial action plan that identifies specific remedial action activities proposed to be conducted under subd. 3. <u>and submit the remedial action plan to the department.</u>

**SECTION 1983m.** 101.143 (3) (cm) of the statutes is amended to read:

101.143 **(3)** (cm) *Monitoring as remedial action.* An owner or operator or person owning a home oil tank system may, with the approval of the department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce, satisfy the requirements of par. (c) 2. and 3. by proposing and implementing monitoring to ensure the effectiveness of ~~the~~ natural ~~process of degradation~~ attenuation of petroleum product contamination.

**SECTION 1983p.** 101.143 (3) (cn) of the statutes is created to read:

101.143 **(3)** (cn) *Review of remedial action plans.* The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce shall review and approve or disapprove a remedial action plan submitted under par. (c) 2.

**SECTION 1983t.** 101.143 (3) (cp) of the statutes is created to read:

101.143 **(3)** (cp) *Bidding process.* 1. Except as provided in subds. 2. to 5., if the department of natural resources or, if the site is covered under s. 101.144 (2) (b), the department of commerce estimates that the cost to complete a site investigation, remedial action plan and remedial action for an occurrence exceeds $80,000, the department of commerce shall implement a competitive public bidding process to obtain information to assist in making the determination under par. (cs).

2. The department of commerce or the department of natural resources may waive the requirement under subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other well used to provide water for human consumption.

3. The department of commerce may waive the requirement under subd. 1. if it determines that the remedial action plan identifies the least costly method of complying with par. (c) 3. and with enforcement standards.

4. The department of commerce or the department of natural resources may waive the requirement under subd. 1. on the grounds that waiver is necessary in an emergency to prevent or mitigate an imminent hazard to public health, safety or welfare or to the environment.

5. The department of commerce or the department of natural resources may waive the requirement under subd. 1. after providing notice to the other department.

6. The department of commerce may disqualify a bid received under subd. 1. if, based on information available to the department and experience with remedial action at other sites, the bid is unlikely to establish an amount to sufficiently fund remedial action that will comply with par. (c) 3. and with enforcement standards.

7. The department of commerce may disqualify a person from submitting bids under subd. 1. if, based on past performance of the bidder, the department determines that the person has demonstrated an inability to complete remedial action within established cost limits.

**SECTION 1984c.** 101.143 (3) (cs) of the statutes is created to read:

101.143 **(3)** (cs) *Determination of least costly method of remedial action.* 1. The department of commerce shall review the remedial action plan for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of complying with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement for remedial

action under this section is limited to the amount necessary to implement that method.

2. The department of natural resources and the department of commerce shall review the remedial action plan for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of complying with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method.

3. In making determinations under subd. 1., the department of commerce shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

4. The department of commerce may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions.

**SECTION 1984m.** 101.143 (3) (cw) of the statutes is created to read:

101.143 **(3)** (cw) *Annual reviews.* 1. The department of commerce shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement under this section for any remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

2. The department of natural resources and the department of commerce shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of

completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method.

3. In making determinations under subds. 1. and 2., the department of natural resources and the department of commerce shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

4. The department of commerce may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions.

**SECTION 1985b.** 101.143 (3) (d) of the statutes is amended to read:

101.143 **(3)** (d) ~~*Review of site investigations, remedial action plans and*~~ *Final review of remedial action activities.* ~~The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce shall, at the request of the claimant, review the site investigation and the remedial action plan and advise the claimant on the adequacy of proposed remedial action activities in meeting the requirements of s. 292.11. The advice is not an approval of the remedial action activities.~~ The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce shall complete a final review of the remedial action activities within 60 days after the claimant notifies the appropriate department that the remedial action activities are completed.

**SECTION 1985e.** 101.143 (3) (g) (intro.) and 1. of the statutes are consolidated, renumbered 101.143 (3) (g) and amended to read:

101.143 **(3)** (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1. and 2., an owner or operator or the person may submit a claim for an award under sub. (4) after notifying the department under par. (a) 3., without completing an

investigation under par. (c) 1. and without preparing a remedial action plan under par. (c) 2. if ~~any of the following apply: 1. An~~ an emergency existed which made the investigation under par. (c) 1. and the remedial action plan under par. (c) 2. inappropriate and, before conducting remedial action, the owner or operator or person notified the department of commerce and the department of natural resources of the emergency and the department of commerce and the department of natural resources authorized emergency action.

**SECTION 1985f.** 101.143 (3) (g) 2. of the statutes is repealed.

**SECTION 1985m.** 101.143 (4) (b) (intro.) of the statutes is amended to read:

101.143 **(4)** (b) *Eligible costs.* (intro.) ~~Eligible~~ Except as provided in par. (c), eligible costs for an award under par. (a) include actual costs or, if the department establishes a ~~schedule~~ usual and customary cost under par. (cm) for an item, usual and customary costs for the following items ~~only~~:

**SECTION 1985r.** 101.143 (4) (b) 16. of the statutes is created to read:

101.143 **(4)** (b) 16. Compliance using the least costly method, with an order of the department of commerce or the department of natural resources to conduct remedial action activities in response to a discharge from a petroleum product storage system or home oil tank system.

**SECTION 1985w.** 101.143 (4) (c) (intro.) of the statutes is amended to read:

101.143 **(4)** (c) *Exclusions from eligible costs.* (intro.) Eligible costs for an award under par. (a) do not include the following, regardless of whether a competitive bidding process is used:

**SECTION 1986c.** 101.143 (4) (c) 8. of the statutes is renumbered 101.143 (4) (c) 8. (intro.) and amended to read:

101.143 **(4)** (c) 8. (intro.) Interest costs incurred by an applicant that exceed interest at ~~1% over the prime rate, as determined under rules promulgated by the department.~~ the following rate:

**SECTION 1986e.** 101.143 (4) (c) 8. a. to f. of the statutes are created to read:

101.143 **(4)** (c) 8. a. If the applicant has gross revenues of not more than $5,000,000 in the most recent tax year before the applicant submits a claim, 1% over the prime rate.

b. If the applicant has gross revenues of more than $5,000,000 but not more than $15,000,000 in the most recent tax year before the applicant submits a claim, the prime rate.

c. If the applicant has gross revenues of more than $15,000,000 but not more than $25,000,000 in the most recent tax year before the applicant submits a claim, 1% under the prime rate.

d. If the applicant has gross revenues of more than $25,000,000 but not more than $35,000,000 in the most recent tax year before the applicant submits a claim, 2% under the prime rate.

e. If the applicant has gross revenues of more than $35,000,000 but not more than $45,000,000 in the most recent tax year before the applicant submits a claim, 3% under the prime rate.

f. If the applicant has gross revenues of more than $45,000,000 in the most recent tax year before the applicant submits a claim, 4% under the prime rate.

**SECTION 1986g.** 101.143 (4) (c) 10. of the statutes is created to read:

101.143 **(4)** (c) 10. Fees charged under sub. (2) (L) or s. 292.55 (2).

**SECTION 1986i.** 101.143 (4) (c) 11. of the statutes is created to read:

101.143 **(4)** (c) 11. For a site that is classified as low or medium risk under s. 101.144, costs that exceed the amount necessary to comply with sub. (3) (c) 3. and with enforcement standards using the least costly method, subject to par. (b) 16.

**SECTION 1986k.** 101.143 (4) (c) 12. of the statutes is created to read:

101.143 **(4)** (c) 12. Costs that are incurred after the date of a notice under sub. (3) (cw) 1. and that exceed the amount necessary to comply with sub. (3) (c) 3. and with enforcement standards using the method specified in the notice, subject to par. (b) 16.

**SECTION 1986m.** 101.143 (4) (cm) of the statutes is renumbered 101.143 (4) (cm) 1. and amended to read:

101.143 **(4)** (cm) 1. The department ~~may~~ shall establish a schedule of usual and customary costs for ~~any~~ items under par. (b) ~~and may~~ that are commonly associated with claims under this section. The department shall use that schedule to determine the amount of ~~a claimant's~~ eligible costs for an occurrence for which a competitive bidding process is not used, except in circumstances under which higher costs must be incurred to comply with sub. (3) (c) 3. and with enforcement standards. For an occurrence for which a competitive bidding process is used, the department may not use the schedule. In the schedule, the department shall specify the maximum number of reimbursable hours for particular tasks and the maximum reimbursable hourly rates for those tasks. The department shall use methods of data collection and analysis that enable the schedule to be revised to reflect changes in actual costs. This subdivision does not apply after June 30, 2001.

**SECTION 1986p.** 101.143 (4) (cm) 2. of the statutes is created to read:

101.143 **(4)** (cm) 2. The department may establish a schedule of usual and customary costs for any items under par. (b) and may use that schedule to determine

the amount of a claimant's eligible costs. This subdivision applies after June 30, 2001.

**SECTION 1987b.** 101.143 (4) (d) 2. (intro.) of the statutes is amended to read:

101.143 **(4)** (d) 2. (intro.) The department shall issue the award under this paragraph without regard to fault in an amount equal to the amount of the eligible costs that exceeds ~~a~~ the deductible amount ~~of $2,500 plus 5% of the eligible costs, but not more than $7,500 per occurrence, except that the deductible amount for a petroleum product storage system that is owned by a school district or a technical college district and that is used for storing heating oil for consumptive use on the premises is 25% of eligible costs~~ under par. (dg). An award issued under this paragraph may not exceed the following for each occurrence:

**SECTION 1991c.** 101.143 (4) (dg) of the statutes is created to read:

101.143 **(4)** (dg) *Deductible; underground systems.* The amount of the deductible for an award under par. (d) is as follows for each occurrence:

1. Except as provided under par. (di), for an owner or operator of an underground petroleum product storage tank system that is located at a facility at which petroleum is stored for resale or an owner or operator of an underground petroleum product storage tank system that handles an annual average of more than 10,000 gallons of petroleum per month, $5,000 plus 4% of the amount by which eligible costs exceed $100,000.

2. For a school district or a technical college district with respect to a discharge from an underground petroleum product storage tank system that is used for storing heating oil for consumptive use on the premises, 25% of eligible costs.

3. For the owner or operator of a petroleum product storage system that is described in par. (ei) 1., $5,000.

4. For an owner or operator other than an owner or operator described in subd. 1., 2. or 3., $2,500, plus 5% of eligible costs, but not more than $7,500.

**SECTION 1992c.** 101.143 (4) (di) of the statutes is created to read:

101.143 **(4)** (di) *Rules concerning deductible for underground systems.* The department may promulgate rules describing a class of owners and operators of underground petroleum product storage tank systems otherwise subject to par. (dg) 1. for whom the deductible is the amount under par. (dg) 4. rather than the amount under par. (dg) 1. if the class is based on financial hardship or consists of local governmental units that are conducting remedial action as part of projects to redevelop brownfields, as defined in s. 560.13 (1) (a).

**SECTION 1993c.** 101.143 (4) (dm) 2. a. of the statutes is amended to read:

101.143 **(4)** (dm) 2. a. For the owner or operator of a terminal, $15,000 plus ~~5%~~ 10% of the amount by which eligible costs exceed $200,000.

**SECTION 1993f.** 101.143 (4) (dm) 2. c. of the statutes is amended to read:

101.143 **(4)** (dm) 2. c. For the owner or operator of a petroleum product storage system that is described in par. (ei) 1., ~~$2,500 plus 5% of eligible costs but not more than $7,500~~ $5,000 per occurrence.

**SECTION 1993m.** 101.143 (4) (ei) 2. of the statutes is repealed and recreated to read:

101.143 **(4)** (ei) 2. The department shall review claims related to discharges from farm tanks described in subd. 1. as soon as the claims are received. The department shall issue an award for an eligible discharge from a farm tank described in subd. 1. as soon as it completes the review of the claim.

**SECTION 1994.** 101.143 (9m) of the statutes is created to read:

101.143 **(9m)** REVENUE OBLIGATIONS. (a) For purposes of subch. II of ch. 18, the petroleum storage remedial action program is a special fund program, and the petroleum inspection fund is a special fund. The petroleum inspection fund is a segregated fund created by the imposition of fees, penalties or excise taxes. The legislature finds and determines that a nexus exists between the petroleum storage remedial action program and the petroleum inspection fund in that fees imposed on users of petroleum are used to remedy environmental damage caused by petroleum storage.

(b) Deposits, appropriations or transfers to the petroleum inspection fund for the purposes of the petroleum storage remedial action program may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV of ch. 18.

(e) The department shall have all other powers necessary and convenient to distribute the special fund revenues and to distribute the proceeds of the revenue obligations in accordance with subch. II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV of ch. 18.

(f) The department may enter into agreements with the federal government or its agencies, political subdivisions of this state, individuals or private entities to insure or in any other manner provide additional security for the revenue obligations issued under this subsection.

(g) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this subsection can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection may not

exceed $270,000,000 in principal amount. In addition to this limit on principal amount, the building commission may contract revenue obligations under this subsection as the building commission determines is desirable to fund or refund outstanding revenue obligations, to pay issuance or administrative expenses, to make deposits to reserve funds or to pay accrued or capitalized interest.

(gm) Of the revenue obligations authorized under par. (g), no more than $170,000,000 may be issued until all of the following conditions have been met:

1. The joint committee on finance has approved, at a regular quarterly meeting under s. 13.10, a report jointly submitted by the departments of administration, commerce and natural resources. The report shall include information regarding all of the following:

a. The proposed issuance of any revenue obligations in excess of $170,000,000.

b. The amount of claims under sub. (3) received during the 2 calendar quarters immediately preceding the date of the report.

c. The number and dollar amount of claims under sub. (3) that the department of commerce has received but not paid.

d. The progress made by the departments of administration, commerce and natural resources in implementing cost control strategies to reduce the costs of cleanups at sites for which claims are submitted under sub. (3).

2. The departments of commerce and natural resources have jointly promulgated permanent rules under sub. (2) (h) to (j).

(h) Unless otherwise expressly provided in resolutions authorizing the issuance of revenue obligations or in other agreements with the owners of revenue obligations, each issue of revenue obligations under this subsection shall be on a parity with every other revenue obligation issued under this subsection and in

accordance with subch. II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV of ch. 18.

(i) Recognizing its moral obligation to do so, the legislature expresses its expectation and aspiration that, if the legislature reduces the rate of the petroleum inspection fee and if the funds in the petroleum inspection fund are insufficient to pay the principal and interest on the revenue obligations issued under subch. II or IV of ch. 18 pursuant to this subsection, the legislature shall make an appropriation from the general fund sufficient to pay the principal and interest on the obligations.

**SECTION 1994m.** 101.143 (11) of the statutes is created to read:

101.143 **(11)** REPORTS. No later than each January 1 and July 1, the department of commerce and the department of natural resources shall submit the the governor, to the joint legislative audit committee, to the joint committee on finance and to the appropriate standing committees of the legislature, under s. 13.172 (3), a report on the program under this section. The departments shall include all of the following information in the report:

(a) All of the following information for each petroleum product storage system and home oil tank system from which a discharge has occurred for which remedial action activities are being conducted:

1. The date on which the record of the site investigation was received.

2. The environmental risk factors, as defined by the department of commerce by rule, identified at the site.

3. The year in which the approval under sub. (3) (c) 4. is expected to be issued.

(am) The number of notices received under sub. (3) (a) 3. and the number of approvals given under sub. (3) (c) 4.

(b) The percentage of sites classified as high risk under s. 101.144.

(c) The name of each person providing engineering consulting services to a claimant under this section and the number of claimants to whom the person has provided those services.

(d) The charges for engineering consulting services for sites for which approvals are given under sub. (3) (c) 4. and for other sites.

(e) The charges by service providers other than engineering consultants for services for which reimbursement is provided under this section, including excavating, hauling, laboratory testing and landfill disposal.

(em) Whether disputes have arisen between the departments under sub. (3) (cw) 2. and, if so, how those disputes have been resolved.

(f) Strategies for recording and monitoring complaints of fraud in the program under this section and for the use of employes of the department of commerce who conduct audits to identify questionable claims and investigate complaints.

**SECTION 1995p.** 101.144 (1) (ae) of the statutes is created to read:

101.144 **(1)** (ae) "Enforcement standard" has the meaning given in s. 160.01 (2).

**SECTION 1995r.** 101.144 (1) (aq) of the statutes is created to read:

101.144 **(1)** (aq) Except as provided under sub. (3g), "high–risk site" means the site of a discharge of a petroleum product from a petroleum storage tank if the discharge has resulted in a concentration of contaminants that exceeds an enforcement standard in soil that has a hydraulic conductivity of $1x10^{-5}$ centimeters per second or if at least one of the following applies:

1. Repeated tests show that the discharge has resulted in a concentration of contaminants in a well used to provide water for human consumption that exceeds a preventive action limit, as defined in s. 160.01 (6).

2. Petroleum product that is not in dissolved phase is present with a thickness of 0.01 feet or more, as shown by repeated measurements.

3. An enforcement standard is exceeded in groundwater within 1,000 feet of a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other well used to provide water for human consumption.

4. An enforcement standard is exceeded in bedrock.

**SECTION 1996c.** 101.144 (2) (b) 1. of the statutes is amended to read:

101.144 **(2)** (b) 1. The site of the discharge is classified, as provided under sub. (3m) (a) 3., as medium ~~priority~~ risk or low ~~priority~~ risk, based on the threat that the discharge poses to public health, safety and welfare and to the environment.

**SECTION 1996e.** 101.144 (2) (b) 2. of the statutes is amended to read:

101.144 **(2)** (b) 2. The site of the discharge is not contaminated by a hazardous substance other than the petroleum product, including any additive, that was discharged from the petroleum storage tank.

**SECTION 1997c.** 101.144 (3g) of the statutes is created to read:

101.144 **(3g)** (a) If, on December 1, 1999, more than 35% of sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high–risk sites, the department of commerce and the department of natural resources shall attempt to reach an agreement that specifies standards for determining whether the site of a discharge of a petroleum product from a petroleum storage tank is classified as high risk. The standards shall be designed to classify no more than 35% of those sites as high–risk sites and may not classify all sites at which an enforcement standard is exceeded as high–risk sites. If the department of commerce and the department of natural resources are unable to reach an

agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with this paragraph. The department of commerce shall promulgate rules incorporating any agreement between the department of commerce and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

(b) If, 6 months after rules under par. (a) are in effect, more than 35% of the sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high–risk sites, the department of commerce shall revise the rules using the procedure for promulgating the rules in par. (a).

**SECTION 1998ac.** 101.144 (3m) (a) 3. of the statutes is amended to read:

101.144 **(3m)** (a) 3. Establishes ~~procedures,~~ standards ~~and schedules~~ for determining whether the site of a discharge of a petroleum product from a petroleum storage tank is classified as ~~high priority,~~ medium ~~priority~~ risk or low ~~priority~~ risk and establishes procedures and schedules for classifying sites of discharges of petroleum products from petroleum storage tanks.

**SECTION 1998af.** 101.63 (3m) of the statutes is created to read:

101.63 **(3m)** Contract with a private organization to provide education regarding construction standards and inspection requirements under this subchapter and under rules promulgated under this subchapter to builders of dwellings in this state. The department may only contract with an organization under this subsection if the organization is described in section 501 (c) (3) of the

Internal Revenue Code and is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

**SECTION 1998ak.** 101.651 (title) of the statutes is amended to read:

**101.651** (title) **Certain municipalities ~~excepted~~ exempted.**

**SECTION 1998ap.** 101.651 (1) (title) of the statutes is created to read:

101.651 **(1)** (title) DEFINITION.

**SECTION 1998as.** 101.651 (2) of the statutes is repealed.

**SECTION 1998av.** 101.651 (2m) of the statutes is created to read:

101.651 **(2m)** EXEMPTION BY RESOLUTION. A municipality shall exercise jurisdiction over the construction and inspection of new one– and 2–family dwellings by enacting ordinances under s. 101.65 (1) (a) or shall exercise the jurisdiction granted under s. 101.65 (1) (a) jointly under s. 101.65 (1) (b), unless the municipality does any of the following by resolution:

(a) Requests under sub. (3) that the department or a county enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout the municipality and that the department or a county provide inspection services in the municipality to administer and enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a).

(b) Determines not to exercise jurisdiction over the construction and inspection of new one– and 2–family dwellings under s. 101.65 (1) (a), not to exercise jurisdiction jointly under s. 101.65 (1) (b), not to request under sub. (3) that the department or a county enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout the municipality and not to request under sub. (3) that the department or a county provide inspection services in the municipality to administer and enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a).

**SECTION 1998ay.** 101.651 (3) of the statutes is amended to read:

101.651 **(3)** DEPARTMENTAL AND COUNTY AUTHORITY IN MUNICIPALITIES; GENERALLY. Except as provided in sub. (3m) ~~or (3s)~~, the department or a county may not enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) or provide inspection services in a municipality unless requested to do so by a person with respect to a particular dwelling or by the municipality. A request by a person or a municipality with respect to a particular dwelling does not give the department or a county authority with respect to any other dwelling. Costs shall be collected under s. 101.65 (1) (c) or ss. 101.63 (9) and 101.65 (2) from ~~the~~ a person or municipality making ~~the~~ a request under this subsection.

**SECTION 1998bc.** 101.651 (3m) (title) of the statutes is created to read:

101.651 **(3m)** (title) AUTHORITY OVER EROSION CONTROL IN TOWNS, UNINCORPORATED AREAS AND CERTAIN EXEMPTED MUNICIPALITIES.

**SECTION 1998bg.** 101.651 (3m) of the statutes is renumbered 101.651 (3m) (a) and amended to read:

101.651 **(3m)** (a) The department may enforce s. 101.653 in a municipality that ~~does not perform or contract for inspection services under s. 101.65 (1) (a) or (b)~~ adopts a resolution under sub. (2m) (b). A county may enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to construction site erosion in any city or village that ~~does not perform or contract for inspection services under s. 101.65 (1) (a) or (b)~~ adopts a resolution under sub. (2m) (b). The department or the county shall collect a fee for the inspection services under this subsection.

**SECTION 1998bL.** 101.651 (3s) of the statutes is renumbered 101.651 (3m) (b).

**SECTION 1998bp.** 101.651 (4) (title) of the statutes is created to read:

101.651 **(4)** (title) DATA RELATING TO HOUSING STARTS IN MUNICIPALITIES.

**SECTION 1998bt.** 101.651 (5) (title) of the statutes is created to read:

101.651 **(5)** (title) EFFECT OF SECTION ON CERTAIN LAWS.

**SECTION 1998bx.** 101.651 (6) (title) of the statutes is created to read:

101.651 **(6)** (title) ENERGY CONSERVATION RULES; CONTINUING EFFECT.

**SECTION 1998cc.** 101.91 (1) of the statutes is renumbered 101.91 (2e).

**SECTION 1998cg.** 101.91 (1g), (1m), (2g) and (2m) of the statutes are created to read:

101.91 **(1g)** "Delivery date" means the date on which a mobile home is physically delivered to the site chosen by the mobile home owner.

**(1m)** "License period" means the period during which a license issued under s. 101.951 or 101.952 is effective, as established by the department under s. 101.951 (2) (b) 1. or 101.952 (2) (b) 1.

**(2g)** "Mobile home dealer" means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in, mobile homes or who is engaged wholly or partially in the business of selling mobile homes, whether or not the mobile homes are owned by the person, but does not include:

(a) A receiver, trustee, administrator, executor, guardian or other person appointed by or acting under the judgment or order of any court.

(b) Any public officer while performing that officer's official duty.

(c) Any employe of a person enumerated in par. (a) or (b).

(d) Any lender, as defined in s. 421.301 (22).

(e) A person transferring a mobile home registered in that person's name and used for that person's personal, family or household purposes, if the transfer is an occasional sale and is not part of the business of the transferor.

**(2m)** "Mobile home owner" means any person who purchases, or leases from another, a mobile home primarily for use for personal, family or household purposes.

**SECTION 1998cL.** 101.91 (3) of the statutes is amended to read:

101.91 **(3)** "Mobile home park" ~~has the meaning given in s. 66.058 (1) (e)~~ means any plot or plots of ground upon which 3 or more mobile homes or manufactured homes that are occupied for dwelling or sleeping purposes are located. "Mobile home park" does not include a farm where the occupants of the mobile homes or manufactured homes are the father, mother, son, daughter, brother or sister of the farm owner or operator or where the occupants of the mobile homes or manufactured homes work on the farm.

**SECTION 1998cp.** 101.91 (4), (5) and (6) of the statutes are created to read:

101.91 **(4)** "Mobile home salesperson" means any person who is employed by a mobile home manufacturer or mobile home dealer to sell or lease mobile homes.

**(5)** "New mobile home" means a mobile home that has never been occupied, used or sold for personal or business use.

**(6)** "Used mobile home" means a mobile home that has previously been occupied, used or sold for personal or business use.

**SECTION 1998ct.** 101.92 (9) of the statutes is created to read:

101.92 **(9)** Shall promulgate rules and establish standards necessary to carry out the purposes of ss. 101.953 and 101.954.

**SECTION 1998cx.** 101.9202 of the statutes is created to read:

**101.9202 Excepted liens and security interests.** Sections 101.9203 to 101.9218 do not apply to or affect:

**(1)** A lien given by statute or rule of law to a supplier of services or materials for the mobile home.

**(2)** A lien given by statute to the United States, this state or any political subdivision of this state.

**(3)** A security interest in a mobile home created by a mobile home dealer or manufacturer who holds the mobile home for sale, which shall be governed by the applicable provisions of ch. 409.

**SECTION 1998gc.** 101.9203 of the statutes is created to read:

**101.9203 When certificate of title required. (1)** The owner of a mobile home situated in this state or intended to be situated in this state shall make application for certificate of title under s. 101.9209 for the mobile home if the owner has newly acquired the mobile home.

**(2)** Any owner who situates in this state a mobile home for which a certificate of title is required without such certificate having been issued or applied for, knowing that the certificate of title has not been issued or applied for, may be required to forfeit not more than $200. A certificate is considered to have been applied for when the application accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed and with postage prepaid.

**(3)** Unless otherwise authorized by rule of the department, a nonresident owner of a mobile home situated in this state may not apply for a certificate of title under this subchapter unless the mobile home is subject to a security interest or except as provided in s. 101.9209 (1) (a).

**SECTION 1998gg.** 101.9204 of the statutes is created to read:

**101.9204 Application for certificate of title. (1)** An application for a certificate of title shall be made to the department upon a form or in an automated format prescribed by it and shall be accompanied by the required fee. Each application for certificate of title shall include the following information:

(a) The name and address of the owner.

(b) A description of the mobile home, including make, model, identification number and any other information or documentation that the department may reasonably require for proper identification of the mobile home.

(c) The date of purchase by the applicant, the name and address of the person from whom the mobile home was acquired and the names and addresses of any secured parties in the order of their priority.

(d) If the mobile home is a new mobile home being titled for the first time, the signature of the mobile home dealer. The document of origin shall contain the information specified by the department.

(e) Any further evidence of ownership which the department may reasonably require to enable it to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the mobile home.

(f) If the identification number of the mobile home has been removed, obliterated or altered, or if the original casting has been replaced, or if the mobile home has not been numbered by the manufacturer, the application for certificate of title shall so state.

(g) If the mobile home is a used mobile home which was last previously titled in another jurisdiction, the applicant shall furnish any certificate of ownership issued by the other jurisdiction and a statement pertaining to the title history and ownership of the mobile home, such statement to be in the form that the department prescribes.

**(2)** Any person who knowingly makes a false statement in an application for a certificate of title may be fined not more than $5,000 or imprisoned for not more than 5 years or both.

**SECTION 1998gL.** 101.9205 of the statutes is created to read:

**101.9205 When department to issue certificate and to whom; maintenance of records. (1)** The department shall maintain a record of each application for certificate of title received by it and, when satisfied as to its genuineness and regularity and that the applicant is entitled to the issuance of a certificate of title, shall issue and deliver a certificate to the owner of the mobile home.

**(2)** The department shall maintain a record of all applications, and all certificates of title issued by the department, indexed in the following manners:

(a) According to title number.

(b) Alphabetically, according to the name of the owner.

(c) In any other manner which the department determines to be desirable.

**(3)** The department shall charge a fee of not less than $2 for conducting a file search of mobile home title records.

**SECTION 1998gp.** 101.9206 of the statutes is created to read:

**101.9206 Contents of certificate of title. (1)** Each certificate of title issued by the department shall contain all of the following:

(a) The name and address of the owner.

(b) The names of any secured parties in the order of priority as shown on the application or, if the application is based on another certificate of title, as shown on that certificate.

(c) The title number assigned to the mobile home.

(d) A description of the mobile home, including make, model and identification number.

(e) Any other data which the department considers pertinent and desirable.

**(2)** (a) The certificate of title shall contain spaces for all of the following:

1. Assignment and warranty of title by the owner.

2. Reassignment and warranty of title by a mobile home dealer.

(b) The certificate of title may contain spaces for application for a certificate of title by a transferee and for the naming of a secured party and the assignment or release of a security interest.

**(3)** (a) Unless the applicant fulfills the requirements of par. (b), the department shall issue a distinctive certificate of title for a mobile home last previously registered in another jurisdiction if the laws of the other jurisdiction do not require that secured parties be named on a certificate of title to perfect their security interests. The certificate shall contain the legend "This mobile home may be subject to an undisclosed security interest" and may contain any other information that the department prescribes. If the department receives no notice of a security interest in the mobile home within 4 months from the issuance of the distinctive certificate of title, the department shall, upon application and surrender of the distinctive certificate, issue a certificate of title in ordinary form.

(b) The department may issue a nondistinctive certificate of title if the applicant fulfills either of the following requirements:

1. The applicant is a mobile home dealer and is financially responsible as substantiated by the last financial statement on file with the department, a finance company licensed under s. 138.09, a bank organized under the laws of this state, or a national bank located in this state.

2. The applicant has filed with the department a bond in the form prescribed by the department and executed by the applicant, and either accompanied by the deposit of cash with the department or also executed by a person authorized to

conduct a surety business in this state. The bond shall be in an amount equal to 1.5 times the value of the mobile home as determined by the department and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the mobile home or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney fees, by reason of the issuance of the certificate of title of the mobile home or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the mobile home. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of 5 years or prior thereto if, apart from this section, a nondistinctive certificate of title could then be issued for the mobile home.

**(4)** A certificate of title issued by the department is prima facie evidence of the facts appearing on it.

**(5)** The department may issue a certificate of title in an automated format.

**SECTION 1998gt.** 101.9207 of the statutes is created to read:

**101.9207 Lost, stolen or mutilated certificates. (1)** If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the owner or legal representative of the owner named in the certificate, as shown by the records of the department, shall promptly make application for and may obtain a replacement upon furnishing information satisfactory to the department. The replacement certificate of title shall contain the legend "This is a replacement certificate and may be subject to the rights of a person under the original certificate".

**(2)** A person recovering an original certificate of title for which a replacement has been issued shall promptly surrender the original certificate to the department.

**SECTION 1998gx.** 101.9208 of the statutes is created to read:

**101.9208 Fees.** The department shall be paid the following fees:

**(1)** For filing an application for the first certificate of title, $8.50, by the owner of the mobile home.

**(2)** Upon filing an application under sub. (1) or (4) before the first day of the 2nd month beginning after the effective date of this subsection .... [revisor inserts date], an environmental impact fee of $5, by the person filing the application. Upon filing an application under sub. (1) or (4) on or after the first day of the 2nd month beginning after the effective date of this subsection .... [revisor inserts date], an environmental impact fee of $6, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management.

**(3)** For the original notation and subsequent release of each security interest noted upon a certificate of title, a single fee of $4 by the owner of the mobile home.

**(4)** For a certificate of title after a transfer, $8.50, by the owner of the mobile home.

**(6)** For each assignment of a security interest noted upon a certificate of title, $1 by the assignee.

**(7)** For a replacement certificate of title, $8, by the owner of the mobile home.

**(8)** For processing applications for certificates of title which have a special handling request for fast service, a fee established by the department by rule, which fee shall approximate the cost to the department for providing this special handling service to persons so requesting.

**(9)** For the reinstatement of a certificate of title previously suspended or revoked, $25.

**(10)** For transfer of registration or credits for registration to a mobile home currently titled in the name of the applicant, $4, by the owner of the mobile home.

**SECTION 1998Lc.** 101.9209 of the statutes is created to read:

**101.9209 Transfer of interest in a mobile home. (1)** (a) If an owner transfers an interest in a mobile home, other than by the creation of a security interest, the owner shall, at the time of the delivery of the mobile home, execute an assignment and warranty of title to the transferee in the space provided therefor on the certificate, and cause the certificate to be mailed or delivered to the transferee.

(b) Any person who holds legal title of a mobile home with one or more other persons may transfer ownership of the mobile home under this subsection if legal title to the mobile home is held in the names of such persons in the alternative, including a mobile home held in a form designating the holder by the words "(name of one person) or (name of other person)".

**(2)** Promptly after delivery to him or her of the mobile home, the transferee shall execute the application for a new certificate of title in the space provided therefor on the certificate or as the department prescribes, and cause the certificate and application to be mailed or delivered to the department.

**(3)** A transfer by an owner is not effective until the provisions of this section have been complied with. An owner who has delivered possession of the mobile home to the transferee and has complied with the provisions of this section requiring action by him or her is not liable as owner for any damages thereafter resulting from use of the mobile home.

**(4)** Any owner of a mobile home for which a certificate of title has been issued, who upon transfer of the mobile home fails to execute and deliver the assignment and warranty of title required by sub. (1), may be required to forfeit not more than $500.

**(5)** (a) Any transferee of a mobile home who fails to make application for a new certificate of title immediately upon transfer to him or her of a mobile home may be required to forfeit not more than $200.

(b) Any transferee of a mobile home who, with intent to defraud, fails to make application for a new certificate of title immediately upon transfer to him or her of a mobile home may be fined not more than $1,000 or imprisoned for not more than 30 days or both.

(c) A certificate is considered under this subsection to have been applied for when the application accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid.

**SECTION 1998Lg.** 101.921 of the statutes is created to read:

**101.921 Transfer to or from dealer. (1)** (a) Except as provided in par. (b), if a mobile home dealer acquires a mobile home and holds it for resale or accepts a mobile home for sale on consignment, the mobile home dealer may not submit to the department the certificate of title or application for certificate of title naming the mobile home dealer as owner of the mobile home. Upon transferring the mobile home to another person, the mobile home dealer shall immediately give the transferee, on a form prescribed by the department, a receipt for all title, security interest and sales tax moneys paid to the mobile home dealer for transmittal to the department when required. The mobile home dealer shall promptly execute the assignment and warranty of title, showing the name and address of the transferee and of any secured party holding a security interest created or reserved at the time of the resale or sale

on consignment, in the spaces provided therefor on the certificate or as the department prescribes. Within 7 business days following the sale or transfer, the mobile home dealer shall mail or deliver the certificate or application for certificate to the department with the transferee's application for a new certificate. A nonresident who purchases a mobile home from a mobile home dealer in this state may not, unless otherwise authorized by rule of the department, apply for a certificate of title issued for the mobile home in this state unless the mobile home dealer determines that a certificate of title is necessary to protect the interests of a secured party. The mobile home dealer is responsible for determining whether a certificate of title and perfection of security interest is required. The mobile home dealer is liable for any damages incurred by the department or any secured party for the mobile home dealer's failure to perfect a security interest which the mobile home dealer had knowledge of at the time of sale.

(b) Except when all available spaces for a mobile home dealer's reassignment on a certificate of title have been completed or as otherwise authorized by rules of the department, a mobile home dealer who acquires a mobile home and holds it for resale or accepts a mobile home for sale on consignment may not apply for a certificate of title naming the mobile home dealer as owner of the mobile home.

(c) Unless exempted by rule of the department, a mobile home dealer who acquires a mobile home and holds it for resale shall make application for a certificate of title naming the mobile home dealer as owner of the mobile home when all of the available spaces for a mobile home dealer's reassignment on the certificate of title for such mobile home have been completed.

**(2)** Every mobile home dealer shall maintain for 5 years a record of every mobile home bought, sold or exchanged, or received for sale or exchange. The record shall

be open to inspection by a representative of the department or by a peace officer during reasonable business hours. The dealer shall maintain the record in the form prescribed by the department.

**(3)** Any mobile home dealer who fails to comply with this section may be required to forfeit not more than $200.

**SECTION 1998LL.** 101.9211 of the statutes is created to read:

**101.9211 Involuntary transfers. (1)** If the interest of an owner in a mobile home passes to another other than by voluntary transfer, the transferee shall, except as provided in sub. (2), promptly mail or deliver to the department the last certificate of title, if available, and the documents required by the department to legally effect such transfer, and an application for a new certificate in the form that the department prescribes.

**(2)** If the interest of the owner is terminated or the mobile home is sold under a security agreement by a secured party named in the certificate of title, the transferee shall promptly mail or deliver to the department the last certificate of title, an application for a new certificate in the form that the department prescribes, and a statement made by or on behalf of the secured party that the mobile home was repossessed and that the interest of the owner was lawfully terminated or sold under the terms of the security agreement.

**(3)** A person holding a certificate of title whose interest in the mobile home has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificate to the department upon request of the department. The delivery of the certificate pursuant to the request of the department does not affect the rights of the person surrendering the certificate, and the action of the department

in issuing a new certificate of title is not conclusive upon the rights of an owner or secured party named in the old certificate.

**(4)** (a) In all cases of the transfer of a mobile home owned by a decedent, except under par. (b), ward, trustee or bankrupt, the department shall accept as sufficient evidence of the transfer of ownership all of the following:

1. Evidence satisfactory to the department of the issuance of the letters of administration, letters testamentary, letters of guardianship, letters of trust or appointment of the trustee in bankruptcy.

2. The title executed by such administrator, executor, guardian or trustee.

(b) 1. The department shall transfer the decedent's interest in any mobile home to his or her surviving spouse upon receipt of the title executed by the surviving spouse and a statement by the spouse which shall state all of the following:

a. The date of death of the decedent.

b. The approximate value and description of the mobile home.

c. That the spouse is personally liable for the decedent's debts and charges to the extent of the value of the mobile home, subject to s. 859.25.

2. The transfer shall not affect any liens upon the mobile home.

3. Except as provided in subd. 4., this paragraph is limited to no more than 5 mobile homes titled in this state that are less than 20 years old at the time of the transfer under this paragraph. There is no limit on transfer under this paragraph of mobile homes titled in this state that are 20 or more years old at the time of transfer under this paragraph.

4. The limit in subd. 3. does not apply if the surviving spouse is proceeding under s. 867.03 (1g) and the total value of the decedent's solely owned property in the

state, including the mobile homes transferred under this paragraph, does not exceed $10,000.

(c) Upon compliance with this subsection, the department shall bear neither liability nor responsibility for the transfer of such mobile homes in accordance with this section.

(d) This subsection does not apply to transfer of interest in a mobile home under s. 101.9209 (1) (b).

**SECTION 1998Lp.** 101.9212 of the statutes is created to read:

**101.9212 When department to issue a new certificate. (1)** The department, upon receipt of a properly assigned certificate of title, with an application for a new certificate of title, the required fee and any other transfer documents required by law, to support the transfer, shall issue a new certificate of title in the name of the transferee as owner.

**(2)** The department, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner. If the transfer constituted a termination of the owner's interest or a sale under a security agreement by a secured party named in the certificate, under s. 101.9211 (2), the new certificate shall be issued free of the names and addresses of the secured party who terminated the owner's interest and of all secured parties subordinate under s. 101.9213 to such secured party. If the outstanding certificate of title is not delivered to it, the department shall make demand therefor from the holder of such certificate.

**(3)** The department shall retain for 5 years a record of every surrendered certificate of title, the record to be maintained so as to permit the tracing of title of the mobile home designated therein.

**SECTION 1998Lt.** 101.9213 of the statutes is created to read:

**101.9213 Perfection of security interests. (1)** Unless excepted by s. 101.9202, a security interest in a mobile home of a type for which a certificate of title is required is not valid against creditors of the owner or subsequent transferees or secured parties of the mobile home unless perfected as provided in ss. 101.9202 to 101.9218.

**(2)** Except as provided in sub. (3), a security interest is perfected by the delivery to the department of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the secured party, and the required fee. The security interest is perfected as of the time of its creation if such delivery is completed within 10 days after the time that the security interest is created, and without regard to the limitations expressed in s. 409.301 (2). If the delivery is not completed within 10 days after the time that the security interest is created, the security interest is perfected as of the time of such delivery.

**(3)** If a secured party whose name and address is contained on the certificate of title for a mobile home acquires a new or additional security interest in the mobile home, such security interest is perfected at the time of its attachment under s. 409.203.

**(4)** An unperfected security interest is subordinate to the rights of persons described in s. 409.301.

**(5)** The rules of priority stated in s. 409.312, and the other sections therein referred to, shall, to the extent appropriate, apply to conflicting security interests in

a mobile home of a type for which a certificate of title is required, or in a previously certificated mobile home, as defined in s. 101.9222 (1). A security interest perfected under this section or under s. 101.9222 (4) or (5) is a security interest perfected otherwise than by filing for purposes of s. 409.312.

**(6)** The rules stated in ss. 409.501 to 409.507 governing the rights and duties of secured parties and debtors and the requirements for, and effect of, disposition of a mobile home by a secured party, upon default shall, to the extent appropriate, govern the rights of secured parties and owners with respect to security interests in mobile homes perfected under ss. 101.9202 to 101.9218.

**(7)** If a mobile home is subject to a security interest when brought into this state, s. 409.103 (1), (2) and (3) states the rules which apply to determine the validity and perfection of the security interest in this state.

**(8)** Upon request of a person who has perfected a security interest under this section, as shown by the records of the department, in a mobile home titled in this state, whenever the department receives information from another state that the mobile home is being titled in the other state and the information does not show that the security interest has been satisfied, the department shall notify the person. The person shall pay the department a $2 fee for each notification.

**SECTION 1998Lx.** 101.9214 of the statutes is created to read:

**101.9214 Duties on creation of security interest.** If an owner creates a security interest in a mobile home, unless the name and address of the secured party already is contained on the certificate of title for the mobile home:

**(1)** The owner shall immediately execute, in the space provided therefor on the certificate of title or on a separate form or in an automated format prescribed by the department, an application to name the secured party on the certificate, showing the

name and address of the secured party, and cause the certificate, application and the required fee to be delivered to the secured party.

**(2)** The secured party shall immediately cause the certificate, the application and the required fee to be mailed or delivered to the department.

**(3)** Upon receipt of the certificate of title, the application and the required fee, the department shall issue to the owner a new certificate containing the name and address of the new secured party. The department shall deliver to the new secured party and to the register of deeds of the county of the owner's residence memoranda, in such form as the department prescribes, evidencing the notation of the security interest upon the certificate; and thereafter, upon any assignment, termination or release of the security interest, additional memoranda evidencing such action.

**(4)** The registers of deeds may record, and maintain a file of, all memoranda received from the department under sub. (3). Such recording, however, is not required for perfection, release or assignment of security interests, which shall be effective upon compliance with ss. 101.9213 (2), 101.9215 and 101.9216 (1) and (2).

**SECTION 1998pc.** 101.9215 of the statutes is created to read:

**101.9215 Assignment of security interest. (1)** A secured party may assign, absolutely or otherwise, the party's security interest in the mobile home to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the secured party as the holder of the security interest and the secured party remains liable for any obligations as a secured party until the assignee is named as secured party on the certificate.

**(2)** The assignee may but need not, to perfect the assignment, have the certificate of title endorsed or issued with the assignee named as secured party, upon

delivering to the department the certificate and an assignment by the secured party named in the certificate in the form that the department prescribes.

**SECTION 1998pg.** 101.9216 of the statutes is created to read:

**101.9216 Release of security interest. (1)** Within one month or within 10 days following written demand by the debtor after there is no outstanding obligation and no commitment to make advances, incur obligations or otherwise give value, secured by the security interest in a mobile home under any security agreement between the owner and the secured party, the secured party shall execute and deliver to the owner, as the department prescribes, a release of the security interest in the form and manner prescribed by the department and a notice to the owner stating in no less than 10–point boldface type the owner's obligation under sub. (2). If the secured party fails to execute and deliver the release and notice of the owner's obligation as required by this subsection, the secured party is liable to the owner for $25 and for any loss caused to the owner by the failure.

**(2)** The owner, other than a mobile home dealer holding the mobile home for resale, upon receipt of the release and notice of obligation shall promptly cause the certificate and release to be mailed or delivered to the department, which shall release the secured party's rights on the certificate and issue a new certificate.

**(3)** The department may remove information pertaining to a security interest perfected under s. 101.9213 from its records when 20 years after the original perfection has elapsed unless the security interest is renewed in the same manner as provided in s. 101.9213 (2) for perfection of a security interest.

**(4)** Removal of information pertaining to a security interest from the records of the department under sub. (3) does not affect any security agreement between the owner of a mobile home and the holder of security interest in the mobile home.

**SECTION 1998pL.** 101.9217 of the statutes is created to read:

**101.9217 Secured party's and owner's duties. (1)** A secured party named in a certificate of title shall, upon written request of the owner or of another secured party named on the certificate, disclose any pertinent information as to the party's security agreement and the indebtedness secured by it.

**(2)** (a) An owner shall promptly deliver the owner's certificate of title to any secured party who is named on it or who has a security interest in the mobile home described in it under any other applicable prior law of this state, upon receipt of a notice from such secured party that the security interest is to be assigned, extended or perfected. Any owner who fails to deliver the certificate of title to a secured party requesting it under this paragraph shall be liable to such secured party for any loss caused to the secured party thereby and may be required to forfeit not more than $200.

(b) No secured party may take possession of any certificate of title except as provided in par. (a). Any person who violates this paragraph may be required to forfeit not more than $1,000.

**(3)** Any secured party who fails to disclose information under sub. (1) shall be liable for any loss caused to owner thereby.

**SECTION 1998pp.** 101.9218 of the statutes is created to read:

**101.9218 Method of perfecting exclusive.** The method provided in ss. 101.921 to 101.9218 of perfecting and giving notice of security interests subject to ss. 101.921 to 101.9218 is exclusive. Security interests subject to ss. 101.921 to 101.9218 are hereby exempted from the provisions of law which otherwise require or relate to the filing of instruments creating or evidencing security interests.

**SECTION 1998pt.** 101.9219 of the statutes is created to read:

**101.9219 Withholding certificate of title; bond. (1)** The department may not issue a certificate of title until the outstanding evidence of ownership is surrendered to the department.

**(2)** If the department is not satisfied as to the ownership of the mobile home or that there are no undisclosed security interests in it, the department, subject to sub. (3), shall either:

(a) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the department as to the applicant's ownership of the mobile home and that there are no undisclosed security interests in it; or

(b) Issue a distinctive certificate of title pursuant to s. 101.9206 (3) or 101.9222 (3).

**(3)** Notwithstanding sub. (2), the department may issue a nondistinctive certificate of title if the applicant fulfills either of the following requirements:

(a) The applicant is a mobile home dealer licensed under s. 101.951 and is financially responsible as substantiated by the last financial statement on file with the department, a finance company licensed under s. 138.09 or 218.01, a bank organized under the laws of this state, or a national bank located in this state.

(b) The applicant has filed with the department a bond in the form prescribed by the department and executed by the applicant, and either accompanied by the deposit of cash with the department or also executed by a person authorized to conduct a surety business in this state. The bond shall be in an amount equal to 1.5 times the value of the mobile home as determined by the department and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the mobile home or person acquiring any security interest in it, and their respective

successors in interest, against any expense, loss or damage, including reasonable attorney fees, by reason of the issuance of the certificate of title of the mobile home or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the mobile home. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of 5 years or prior thereto if, apart from this section, a nondistinctive certificate of title could then be issued for the mobile home, or if the mobile home is no longer registered in this state and the currently valid certificate of title is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

**SECTION 1998px.** 101.922 of the statutes is created to read:

**101.922 Suspension or revocation of certificate. (1)** The department shall suspend or revoke a certificate of title if it finds any of the following:

(a) That the certificate of title was fraudulently procured, erroneously issued or prohibited by law.

(b) That the mobile home has been scrapped, dismantled or destroyed.

(c) That a transfer of title is set aside by a court of record by order or judgment.

**(2)** Suspension or revocation of a certificate of title does not, in itself, affect the validity of a security interest noted on it.

**(3)** When the department suspends or revokes a certificate of title, the owner or person in possession of it shall, immediately upon receiving notice of the suspension or revocation, mail or deliver the certificate to the department.

**(4)** The department may seize and impound any certificate of title which has been suspended or revoked.

**SECTION 1998tc.** 101.9221 of the statutes is created to read:

**101.9221 Grounds for refusing issuance of certificate of title.** The department shall refuse issuance of a certificate of title if any required fee has not been paid or for any of the following reasons:

**(1)** The department has reasonable grounds to believe that:

(a) The person alleged to be the owner of the mobile is not the owner.

(b) The application contains a false or fraudulent statement.

**(2)** The applicant has failed to furnish any of the following:

(a) If applicable, the power of attorney required under 15 USC 1988 or rules of the department.

(b) Any other information or documents required by law or by the department pursuant to authority of law.

**(3)** The applicant is a mobile home dealer and is prohibited from applying for a certificate of title under s. 101.921 (1) (a) or (b).

**(4)** Except as provided in ss. 101.9203 (3) and 101.921 (1) (a) for a certificate of title and registration for a mobile home owned by a nonresident, the applicant is a nonresident and the issuance of a certificate of title has not otherwise been authorized by rule of the department.

**SECTION 1998tg.** 101.9222 of the statutes is created to read:

**101.9222 Previously certificated mobile homes. (1)** In this section, "previously certificated mobile home" means a mobile home for which a certificate of title has been issued by the department of transportation prior to July 1, 2000.

**(2)** Sections 101.9213 to 101.9218 do not apply to a previously certificated mobile home until one of the following occurs:

(a) There is a transfer of ownership of the mobile home.

(b) The department of commerce issues a certificate of title of the mobile home under this chapter.

**(3)** If the department is not satisfied that there are no undisclosed security interests, created before July 1, 2000, in a previously certificated mobile home, the department shall, unless the applicant fulfills the requirements of s. 101.9219 (3), issue a distinctive certificate of title of the mobile home containing the legend "This mobile home may be subject to an undisclosed security interest" and any other information that the department prescribes.

**(4)** After July 1, 2000, a security interest in a previously certificated vehicle may be created and perfected only by compliance with ss. 101.9213 and 101.9218.

**(5)** (a) If a security interest in a previously certificated mobile home is perfected under any other applicable law of this state on July 1, 2000, the security interest continues perfected:

1. Until its perfection lapses under the law under which it was perfected, or until its perfection would lapse in the absence of a further filing or renewal of filing, whichever occurs sooner.

2. If, before the security interest lapses as described in subd. 1., there is delivered to the department the existing certificate of title together with the application and fee required by s. 101.9214 (1). In such case the department shall issue a new certificate pursuant to s. 101.9214 (3).

(b) If a security interest in a previously certificated mobile home was created, but was unperfected, under any other applicable law of this state on July 1, 2000, it

may be perfected under par. (a), but such perfection dates only from the date of the department's receipt of the certificate.

**SECTION 1998tL.** 101.9223 of the statutes is created to read:

**101.9223 Registration of mobile homes. (1)** DEFINITION. In this section, "owner" means, with respect to a mobile home that is leased to a lessee for a period of one year or more, the lessee of the mobile home for purposes of mobile home registration under this section.

**(2)** APPLICATION FOR REGISTRATION. (a) Application for original registration and for renewal of registration shall be made to the department upon forms prescribed by it and shall be accompanied by the required fee.

(b) Applications for original registration of a mobile home shall contain the following information:

1. The name of the owner.

2. If the owner under subd. 1. is a lessee, the name of the lessor.

3. The name of the town, city or village in which the owner resides and, if the owner resides in a 1st or 2nd class city, the owner's true residential or business address.

4. If applicable, the name of the town, city or village in which the lessor resides and, if the lessor resides in a 1st or 2nd class city, the lessor's true residential or business address.

5. A description of the mobile home, including make, model, identification number and any other information which the department may reasonably require for proper identification of the mobile home.

6. The city, village or town and the county in which the mobile home is customarily situated.

7. Such further information as the department may reasonably require to enable it to determine whether the mobile home is by law entitled to registration or to enable it to determine the proper applicant or registration fee for the mobile home.

(c) The department may accept an application and complete registration of a mobile home when the evidence of ownership is held by a nonresident lienholder or for other reason is not immediately available and the department is satisfied as to ownership of the mobile home. The title fee shall be collected at the time of registration and retained even though certificate of title is not issued.

(d) Applications for renewal of registration shall contain the information required in par. (b) for original applications or such parts thereof as the department considers necessary to ensure the proper registration of the mobile home. The department may require that applications for renewal of registration be accompanied by the certificate of title issued for the mobile home only when the true ownership or proper registration of the mobile home is in doubt and cannot be resolved from records maintained by the department.

(e) At least 30 days prior to the expiration of a mobile home's registration, the department shall mail to the last–known address of the registrant a notice of the date upon which the registration must be renewed and an application form for renewal of registration.

(f) The department shall supply the clerk of each county with blank application forms for original registration of mobile homes.

(g) If the applicant for a certificate of registration is under 18 years of age, the application shall be accompanied by a statement made and signed by either of the applicant's parents, if such parent has custody of the minor; or, if neither parent has custody, then by the person having custody, stating that the applicant has the

signer's consent to register the mobile home in the applicant's name. Any person who violates this subsection may be required to forfeit not more than $200.

(h) A mobile home's registration does not expire on the date of expiration of its registration if, on that date of expiration, the registrant is on active duty in the U.S. armed forces and is absent from this state. Any registration extended under this paragraph expires 30 days after the registrant returns to this state or 90 days after the registrant is discharged from active duty, whichever is earlier. If a registration is renewed after an extension under this subsection, the renewal period shall begin on the day after the date of expiration of registration.

**(3)** GROUNDS FOR REFUSING REGISTRATION. The department shall refuse registration of a mobile home under any of the following circumstances:

(a) The required state fee and any municipal mobile home registration fee imposed by the town, village or city in which the mobile home is customarily situated has not been paid for the mobile home, and the department may refuse registration of a mobile home if such fees for the current period or for any previous period for which payment of a registration fee is required by law have not been paid on any other mobile homes owned by the applicant for registration.

(b) The applicant has failed to furnish any of the following:

1. If applicable, the power of attorney required under 15 USC 1988 or rules of the department.

2. Other information or documents required by law or by the department pursuant to authority of law.

(c) A certificate of title is a prerequisite to registration of the mobile home and, except for an applicant who is the lessee of a mobile home, a valid certificate of title

has not been issued to the applicant for the mobile home and the applicant is not entitled to the issuance of a certificate of title.

(d) A court has notified the department under s. 345.47 (1) (d) that a judgment has been entered against the applicant and the judgment remains unpaid.

**(4)** CONTENTS AND ISSUANCE OF CERTIFICATE OF REGISTRATION; ISSUANCE OF DUPLICATE CERTIFICATE. (a) Except as provided in par. (b) the department upon registering a mobile home shall issue and deliver to the owner a certificate of registration. The certificate shall contain the name, residence and address of the owner, a brief description of the mobile home, the registration number assigned and the date of expiration of registration. The certificate shall be in such form and may contain such additional information as the department considers advisable.

(b) The department shall issue a duplicate certificate of registration upon application therefor by any person in whose name the mobile home is registered and upon payment of a fee of $2.

**(5)** DESIGN, PROCUREMENT AND ISSUANCE OF REGISTRATION PLATES. (a) The department upon registering a mobile home under this section shall issue and deliver prepaid to the applicant one registration plate, unless the department determines that 2 plates will better serve the interests of law enforcement.

(b) The department shall purchase plates from the Waupun correctional institution unless otherwise approved by the governor. Subject to any specific requirements which may be imposed by statute, the department shall determine the size, color and design of registration plates with a view toward making them visible evidence of the period for which the mobile home is registered and the fee class into which the mobile home falls as well as making them a ready means of identifying the specific mobile home or owner for which the plates were issued.

(c) All registration plates shall have displayed upon them the following:

1. The registration number assigned to the mobile home or owner. The registration number shall be composed of numbers or letters or both.

2. The name "Wisconsin" or abbreviation "Wis".

3. An indication of the period for which the specific plate is issued or the date of expiration of registration.

**(6)** ISSUANCE OF REPLACEMENT PLATE. (a) Whenever a current registration plate is lost or destroyed, the owner of the mobile home to which the plate was attached shall immediately apply to the department for replacement. Upon satisfactory proof of the loss or destruction of the plate and upon payment of a fee of $2 for each plate, the department shall issue a replacement.

(b) Whenever a current registration plate becomes illegible, the owner of the mobile home to which the plate is attached shall apply to the department for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee of $2 for each plate, the department shall issue a replacement. Upon receipt of a replacement plate, the applicant shall destroy the illegible plate.

(c) When issuing a replacement plate, the department may assign a new number and issue a new plate rather than a duplicate of the original if in its judgment that is in the best interests of economy or prevention of fraud. Upon receipt of a replacement plate, the applicant shall destroy all plates replaced.

(d) Any person issued replacement plates who fails to destroy the original plates as required by par. (b) or (c) may be required to forfeit not more than $200.

(e) This subsection does not apply to plates issued pursuant to the law pertaining to the registration of mobile home dealers, distributors, as defined in s. 340.01 (14), mobile home manufacturers or transporters, as defined in s. 340.01 (72).

**(7)** ANNUAL REGISTRATION FEES. An applicant for registration under this section shall pay a fee of $15 to the department for the annual registration of each mobile home.

**(8)** FRAUDULENT APPLICATION FOR REGISTRATION OR LICENSE. Any person who gives a false or fictitious name, address or location where a mobile home is customarily situated in an application for license or registration or who makes application for license or registration in the name of a person other than the true owner, or true owner and lessee, may be fined not more than $200 or imprisoned for not more than 6 months or both.

**(9)** UNLAWFUL TRANSFER OF EVIDENCE OF REGISTRATION. (a) Except as authorized by the department, no person may transfer to another person or offer for sale a registration plate, decal or other evidence of registration issued by the department.

(b) No person may transfer to another person or offer for sale a counterfeit, forged or fictitious registration plate, decal or other evidence of registration.

(c) Whoever violates par. (a) or (b) may be fined not more than $5,000 or imprisoned for not more than 7 years and 6 months, or both, for each violation.

**(10)** IMPROPER USE OF EVIDENCE OF REGISTRATION. Any person who does any of the following may be required to forfeit not more than $500:

(a) Lends to another a registration plate, decal or other evidence of registration for display upon a mobile home for which the plate, tag, decal or other evidence of registration has not been issued.

(b) Displays upon a mobile home a registration plate, decal or other evidence of registration not issued for such mobile home or not otherwise authorized by law to be used thereon.

(c) Wilfully twists, paints, alters or adds to or cuts off any portion of a registration plate, decal or other evidence of registration; or who places or deposits, or causes to be placed or deposited on such plate, decal or other evidence of registration any substance to hinder the normal reading of such plate, decal or other evidence of registration; or who defaces, disfigures, covers, obstructs, changes or attempts to change any letter or figure thereon; or who causes such plate, decal or other evidence of registration to appear to be a different color.

(d) Possesses a fraudulently or unlawfully obtained registration plate, insert tag, decal or other evidence of registration.

(e) Possesses a counterfeit registration plate, decal or other evidence of registration.

**(11)** REPRODUCING EVIDENCE OF REGISTRATION PROHIBITED. Except as authorized by the department, any person who reproduces, by any means whatever, a registration plate, decal or other evidence of registration shall forfeit not less than $200 nor more than $500.

**(12)** FALSE EVIDENCE OF REGISTRATION. Whoever possesses a mobile home having attached thereto any plate or similar device fashioned in imitation or facsimile of or altered so as to resemble a registration plate issued by the department may be required to forfeit not more than $500.

**(13)** WHEN REGISTRATION TO BE SUSPENDED. (a) The department shall suspend the registration of a mobile home when:

1. The registration was completed through fraud or error and the person who registered the mobile home does not or cannot register the mobile home properly.

2. The required fee has not been paid and the same is not paid upon reasonable notice and demand.

(b) Any registration suspended under this subsection continues to be suspended until reinstated by the department. The department shall reinstate the registration when the reason for the suspension has been removed.

(c) Whenever the registration of a mobile home is suspended under this subsection, the department may order the owner or person in possession of the registration plates to return them to the department. Any person who fails to return the plates when ordered to do so by the department may be required to forfeit not more than $200.

**SECTION 1998tp.** 101.94 (8) (a) of the statutes is amended to read:

101.94 **(8)** (a) ~~A~~ Except as provided in par. (c), a person who violates this subchapter ~~or,~~ a rule promulgated under this subchapter or an order issued under this subchapter shall forfeit not more than $1,000 for each violation. Each violation of this subchapter constitutes a separate violation with respect to each manufactured home or mobile home or with respect to each failure or refusal to allow or perform an act required by this subchapter, except the maximum forfeiture under this subsection may not exceed $1,000,000 for a related series of violations occurring within one year of the first violation.

**SECTION 1998tt.** 101.94 (8) (c) of the statutes is created to read:

101.94 **(8)** (c) A person who violates s. 101.935, a rule promulgated under s. 101.935 or an order issued under s. 101.935 may be required to forfeit not less than $10 nor more than $250 for each violation. Each day of continued violation constitutes a separate violation.

**SECTION 1998tx.** 101.951 of the statutes is created to read:

**101.951 Mobile home dealers regulated. (1)** No person may engage in the business of selling mobile homes to a consumer or to the retail market in this state unless first licensed to do so by the department as provided in this section.

**(2)** (a) Application for a license or a renewal license shall be made to the department on forms prescribed and furnished by the department, accompanied by the license fee required under par. (c) or (d).

(b) 1. The department shall, by rule, establish the license period under this section.

2. The department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(c) Except as provided in par. (d), the fee for a license issued under this section equals $50 multiplied by the number of years in the license period. The fee shall be prorated if the license period is not evenly divisible into years.

(d) If the department issues a license under this section during the license period, the fee for the license shall equal $50 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

**(3)** The department shall issue a license only to a person whose character, fitness and financial ability, in the opinion of the department, are such as to justify the belief that the person can and will deal with and serve the buying public fairly and honestly, will maintain a permanent office and place of business in this state during the license year and will abide by all of the provisions of law and lawful orders of the department.

**(5)** A licensee shall conduct the licensed business continuously during the license year.

**(6)** The department may deny, suspend or revoke a license on any of the following grounds:

(a) Proof of unfitness.

(b) A material misstatement in the application for the license.

(c) Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

(d) Wilful failure to comply with any provision of this section or any rule promulgated by the department under this section.

(e) Wilfully defrauding any retail buyer to the buyer's damage.

(f) Wilful failure to perform any written agreement with any retail buyer.

(g) Failure or refusal to furnish and keep in force any bond required.

(h) Having made a fraudulent sale, transaction or repossession.

(i) Fraudulent misrepresentation, circumvention or concealment, through any subterfuge or device, of any of the material particulars or the nature thereof required hereunder to be stated or furnished to the retail buyer.

(j) Use of fraudulent devices, methods or practices in connection with compliance with the statutes with respect to the retaking of goods under retail instalment contracts and the redemption and resale of such goods.

(k) Having indulged in any unconscionable practice relating to said business.

(m) Having sold a retail instalment contract to a sales finance company, as defined in s. 218.01 (1) (v), that is not licensed under s. 218.01.

(n) Having violated any law relating to the sale, distribution or financing of mobile homes.

**(7)** (a) The department of commerce may, without notice, deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for the denial. Within 30 days after such notice, the applicant may petition the department of administration to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to denials of applications for licenses under s. 101.02 (21).

(b) No license may be suspended or revoked except after a hearing thereon. The department of commerce shall give the licensee at least 5 days' notice of the time and place of the hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the department of commerce, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department of commerce shall be heard and decided upon by the department of administration. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to licenses that are suspended or revoked under s. 101.02 (21).

(c) The department of commerce may inspect the pertinent books, records, letters and contracts of a licensee. The actual cost of each such examination shall be paid by such licensee so examined within 30 days after demand therefor by the department, and the department may maintain an action for the recovery of such costs in any court of competent jurisdiction.

**(8)** Any person who violates any provision of this section shall be fined not less than $25 nor more than $100 for each offense.

**SECTION 1998xc.** 101.952 of the statutes is created to read:

**101.952 Mobile home salespersons regulated. (1)** No person may engage in the business of selling mobile homes to a consumer or to the retail market in this state without a license therefor from the department. If a mobile home dealer acts as a mobile home salesperson the dealer shall secure a mobile home salesperson's license in addition to the license for engaging as a mobile home dealer.

**(2)** (a) Applications for a mobile home salesperson's license and renewals thereof shall be made to the department on such forms as the department prescribes and furnishes and shall be accompanied by the license fee required under par. (c) or (d). The application shall include the applicant's social security number. In addition, the application shall require such pertinent information as the department requires.

(b) 1. The department shall, by rule, establish the license period under this section.

2. The department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(c) Except as provided in par. (d), the fee for a license issued under this section equals $4 multiplied by the number of years in the license period. The fee shall be prorated if the license period is not evenly divisible into years.

(d) If the department issues a license under this section during the license period, the fee for the license shall equal $4 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

**(3)** Every licensee shall carry his or her license when engaged in his or her business and display the same upon request. The license shall name his or her employer, and, in case of a change of employer, the mobile home salesperson shall immediately mail his or her license to the department, which shall endorse that change on the license without charge.

**(5)** The provision of s. 218.01 (3) relating to the denial, suspension and revocation of a motor vehicle salesperson's license shall apply to the denial, suspension and revocation of a mobile home salesperson's license so far as applicable, except that such provision does not apply to the denial, suspension or revocation of a license under s. 101.02 (21) (b).

**(6)** The provisions of s. 218.01 (3) (g) and (5) shall apply to this section, mobile home sales practices and the regulation of mobile home salespersons, as far as applicable.

**SECTION 1998xg.** 101.953 of the statutes is created to read:

**101.953 Warranty and disclosure. (1)** A one–year written warranty is required for every new mobile home sold, or leased to another, by a mobile home manufacturer, mobile home dealer or mobile home salesperson in this state, and for every new mobile home sold by any person who induces a resident of the state to enter into the transaction by personal solicitation in this state or by mail or telephone solicitation directed to the particular consumer in this state. The warranty shall state all of the following:

(a) That the mobile home meets those standards prescribed by law or administrative rule of the department of administration or of the department of commerce, which are in effect at the time of the manufacture of the mobile home.

(b) That the mobile home is free from defects in material and workmanship and is reasonably fit for human habitation if it receives reasonable care and maintenance as defined by rule of the department.

(c) 1. That the mobile home manufacturer and mobile home dealer shall take corrective action for defects which become evident within one year from the delivery date and as to which the mobile home owner has given notice to the manufacturer or dealer not later than one year and 10 days after the delivery date and at the address set forth in the warranty; and that the mobile home manufacturer and mobile home dealer shall make the appropriate adjustments and repairs, within 30 days after notification of the defect, at the site of the mobile home without charge to the mobile home owner. If the mobile home dealer makes the adjustment, the mobile home manufacturer shall fully reimburse the dealer.

2. If a repair, replacement, substitution or alteration is made under the warranty and it is discovered, before or after expiration of the warranty period, that the repair, replacement, substitution or alteration has not restored the mobile home to the condition in which it was warranted except for reasonable wear and tear, such failure shall be considered a violation of the warranty and the mobile home shall be restored to the condition in which it was warranted to be at the time of the sale except for reasonable wear and tear, at no cost to the purchaser or the purchaser's assignee notwithstanding that the additional repair may occur after the expiration of the warranty period.

(d) That if during any period of time after notification of a defect the mobile home is uninhabitable, as defined by rule of the department, that period of time shall not be considered part of the one–year warranty period.

(e) A list of all parts and equipment not covered by the warranty.

**(2)** Action by a lessee to enforce the lessee's rights under this subchapter shall not be grounds for termination of the rental agreement.

**(3)** The warranty required under this section shall apply to the manufacturer of the mobile home as well as to the mobile home dealer who sells or leases the mobile home to the consumer, and shall be in addition to any other rights and privileges that the consumer may have under any instrument or law. The waiver of any remedies under any law and the waiver, exclusion, modification or limitation of any warranty, express or implied, including the implied warranty of merchantability and fitness for a particular purpose, is expressly prohibited. Any such waiver is void.

**(4)** The transfer of a mobile home from one mobile home owner to another during the effective period of the warranty does not terminate the warranty, and subsequent mobile home owners shall be entitled to the full protection of the warranty for the duration of the warranty period as if the original mobile home owner had not transferred the mobile home.

**SECTION 1998xL.** 101.954 of the statutes is created to read:

**101.954 Sale or lease of used mobile homes.** In the sale or lease of any used mobile home, the sales invoice or lease agreement shall contain the point of manufacture of the used mobile home, the name of the manufacturer and the name and address of the previous mobile home owner.

**SECTION 1998xp.** 101.955 of the statutes is created to read:

**101.955 Jurisdiction and venue over out–of–state manufacturers. (1)** The importation of a mobile home for sale in this state by an out–of–state manufacturer is considered an irrevocable appointment by that manufacturer of the department of financial institutions to be that manufacturer's true and lawful attorney upon whom may be served all legal processes in any action or proceeding

against such manufacturer arising out of the importation of such mobile home into this state.

**(2)** The department of financial institutions upon whom processes and notices may be served under this section shall, upon being served with such process or notice, mail a copy by registered mail to the out–of–state manufacturer at the nonresident address given in the papers so served. The original shall be returned with proper certificate of service attached for filing in court as proof of service. The service fee shall be $4 for each defendant so served. The department of financial institutions shall keep a record of all such processes and notices, which record shall show the day and hour of service.

**SECTION 1998xt.** 101.965 of the statutes is created to read:

**101.965 Penalties. (1)** Any person who violates ss. 101.953 to 101.955, or any rule promulgated under ss. 101.953 to 101.955, may be fined not more than $1,000 or imprisoned for not more than 6 months or both.

**(2)** In any court action brought by the department for violations of this subchapter, the department may recover all costs of testing and investigation, in addition to costs otherwise recoverable, if it prevails in the action.

**(3)** Nothing in this subchapter prohibits the bringing of a civil action against a mobile home manufacturer, mobile home dealer or mobile home salesperson by an aggrieved consumer. If judgment is rendered for the consumer based on an act or omission by the mobile home manufacturer, mobile home dealer or mobile home salesperson, which constituted a violation of this subchapter, the plaintiff shall recover actual and proper attorney fees in addition to costs otherwise recoverable.

**SECTION 1999.** 102.01 (2) (d) of the statutes is amended to read:

102.01 **(2)** (d) "Municipality" includes a county, city, town, village, school district, sewer district, drainage district and family care district and other public or quasi–public corporations.

**SECTION 2000.** 102.04 (1) (a) of the statutes is amended to read:

102.04 **(1)** (a) The state, each county, city, town, village, school district, sewer district, drainage district, family care district and other public or quasi–public corporations therein.

**SECTION 2002.** 102.27 (2) (a) of the statutes is amended to read:

102.27 **(2)** (a) A benefit under this chapter is assignable under s. 46.10 (14) (e), 301.12 (14) (e), 767.23 (1) (L), 767.25 (4m) (c), 767.265 (1) or (2m), 767.51 (3m) (c) or 767.62 (4) (b) 3.

**SECTION 2003.** 102.29 (9) of the statutes is amended to read:

102.29 **(9)** No participant in a work experience component of a job opportunities and basic skills program who, under s. 49.193 (6) (a), ~~is~~ 1997 stats., was considered to be an employe of the agency administering that program, or who, under s. 49.193 (6) (a), ~~is~~ 1997 stats., was provided worker's compensation coverage by the person administering the work experience component, and who makes a claim for compensation under this chapter may make a claim or maintain an action in tort against the employer who provided the work experience from which the claim arose. This subsection does not apply to injuries occurring after February 28, 1998.

**SECTION 2005.** 103.001 (6) of the statutes is amended to read:

103.001 **(6)** "Employer" means any person, firm, corporation, state, county, town, city, village, school district, sewer district, drainage district, family care district and other public or quasi–public corporations as well as any agent, manager,

representative or other person having control or custody of any employment, place of employment or of any employe.

**SECTION 2005f.** 103.49 (5) (a) of the statutes is amended to read:

103.49 **(5)** (a) Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (2m) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor. <u>If requested by any person, a contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall permit that person to inspect and copy any of those records to the same extent as the department would be required to permit inspection and copying of those records under ss. 19.31 to 19.39 if those records were in the custody of the department.</u>

**SECTION 2005g.** 103.50 (7m) of the statutes is created to read:

103.50 **(7m)** RECORDS; INSPECTION. Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (2m) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor. If requested by any person, a contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall permit that person to inspect and copy any of those records to the same extent as the department of transportation would be required to permit inspection and copying of those records under ss. 19.31 to 19.39 if those records were in the custody of the department of transportation.

**SECTION 2005k.** 106.11 (title) of the statutes is amended to read:

**106.11** (title) ~~**Employment and training**~~ **Workforce investment programs.**

**SECTION 2005m.** 106.11 of the statutes, as affected by 1999 Wisconsin Act .... (this act), sections 2005k, 2005p and 2005r, is amended to read:

**106.11 Workforce investment programs.** The department shall cooperate with the federal government in carrying out the purposes of the ~~federal Job Training Partnership Act, 29 USC 1501 to 1781, and the~~ federal Workforce Investment Act of 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~those acts~~ that act the department shall, in cooperation with other state agencies and with local workforce development boards established under 29 USC 2832, establish a statewide workforce investment system to meet the employment, training and educational needs of persons in this state.

**SECTION 2005p.** 106.11 (1) of the statutes is amended to read:

106.11 **(1)** The department shall cooperate with the federal government in carrying out the purposes of the federal ~~job training partnership act~~ Job Training Partnership Act, 29 USC 1501 to 1781, and the federal Workforce Investment Act of 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~that act~~ those acts the department shall, in cooperation with other state agencies and with ~~private industry councils~~ local workforce development boards established under 29 USC 2832, establish a statewide ~~coordinated employment and training delivery~~ workforce investment system to meet the employment, training and educational needs of persons in this state.

**SECTION 2005r.** 106.11 (1) of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 2005p, is renumbered 106.11.

**SECTION 2005t.** 106.11 (2) of the statutes is repealed.

**SECTION 2005v.** 106.11 (3) of the statutes is repealed.

**SECTION 2005x.** 106.115 of the statutes is repealed.

**SECTION 2012.** 106.12 (title) of the statutes is amended to read:

**106.12** (title) ~~**Division of connecting education and work**~~ **Governor's work–based learning board.**

**SECTION 2013.** 106.12 of the statutes is renumbered 106.12 (2) and amended to read:

106.12 **(2)** EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. ~~Based on the recommendations of the governor's council on workforce excellence, the division of connecting education and work~~ The board shall plan, coordinate, administer and implement ~~the department's workforce excellence initiatives, programs, policies and funding,~~ the youth apprenticeship ~~and~~, school–to–work and work–based learning programs under s. 106.13 (1) and such other employment and education programs as the governor may by executive order assign to the ~~division~~ board. Notwithstanding any limitations placed on the use of state employment and education funds under this section or s. 106.13~~, 106.14, 106.15, 106.20 or 106.21~~ or under an executive order assigning an employment and education program to the ~~division~~ board, the ~~secretary~~ board may issue a general or special order waiving any of those limitations on finding that the waiver will promote the coordination of employment and education services.

**SECTION 2014.** 106.12 (1) of the statutes is created to read:

106.12 **(1)** DEFINITION. In this section and s. 106.13, "board" means the governor's work–based learning board.

**SECTION 2015.** 106.12 (3) of the statutes is created to read:

106.12 **(3)** EXECUTIVE DIRECTOR. The governor shall appoint an executive director of the board outside the classified service to serve at the pleasure of the governor. The executive director shall be in charge of the board's administrative functions.

**SECTION 2016.** 106.13 (title) of the statutes is amended to read:

**106.13** (title) **Youth apprenticeship ~~and~~, school–to–work and work–based learning programs.**

**SECTION 2017.** 106.13 (1) of the statutes is amended to read:

106.13 **(1)** The ~~department~~ board shall provide a youth apprenticeship program ~~and~~ that includes the grant programs under subs. (3m) and (4), a school–to–work program ~~in accordance with 20 USC 6101 to 6251~~ that includes the school–to–work program for children at risk under sub. (4m) and, for youths who are eligible to receive temporary assistance for needy families under 42 USC 601 to 619, a work–based learning program. The board shall include in that work–based learning program a component that would permit a participant to earn a youth apprenticeship skills certificate through participation in that program if the participant meets the requirements for earning that certificate.

**SECTION 2018.** 106.13 (2) of the statutes is amended to read:

106.13 **(2)** The ~~governor's council on workforce excellence~~ council on workforce investment established under 29 USC 2821, the technical college system board and the department of public instruction shall assist the ~~department of workforce development~~ board in providing the youth apprenticeship program ~~and~~, the school–to–work program and the work–based learning program under sub. (1).

**SECTION 2019d.** 106.13 (2m) of the statutes is amended to read:

106.13 **(2m)** ~~After reviewing the recommendations of the governor's council on workforce excellence under s. 106.115 (2) (e), the department~~ The board shall approve occupations and maintain a list of approved occupations for the youth apprenticeship program and shall approve statewide skill standards for the school–to–work program. From the appropriation under s. 20.445 ~~(1) (ev)~~ (7) (a), the ~~department~~ board shall develop curricula for youth apprenticeship programs for occupations approved under this subsection.

**SECTION 2020.** 106.13 (3m) of the statutes is created to read:

106.13 **(3m)** (a) In this subsection, "local partnership" means one or more school districts, or any combination of one or more school districts, other public agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4) (a) 1., individuals or other persons, who have agreed to be responsible for implementing and coordinating a local youth apprenticeship program.

(b) From the appropriation under s. 20.445 (7) (b), the board shall award grants to applying local partnerships for the implementation and coordination of local youth apprenticeship programs. A local partnership shall include in its grant application the identity of each public agency, nonprofit organization, individual and other person who is a participant in the local partnership, a plan to accomplish the implementation and coordination activities specified in subds. 1. to 6. and the identity of a fiscal agent who shall be responsible for receiving, managing and accounting for the grant moneys received under this paragraph. A local partnership that is awarded a grant under this paragraph may use the grant moneys awarded for any of the following implementation and coordination activities:

1. Recruiting employers to provide on–the–job training and supervision for youth apprentices and providing technical assistance to those employers.

2. Recruiting students to participate in the local youth apprenticeship program and monitoring the progress of youth apprentices participating in the program.

3. Coordinating youth apprenticeship training activities within participating school districts and among participating school districts, postsecondary institutions and employers.

4. Coordinating academic, vocational and occupational learning, school–based and work–based learning and secondary and postsecondary education for participants in the local youth apprenticeship program.

5. Assisting employers in identifying and training workplace mentors and matching youth apprentices and mentors.

6. Any other implementation or coordination activity that the board may direct or permit the local partnership to perform.

**SECTION 2021.** 106.13 (4) (b) of the statutes is amended to read:

106.13 **(4)** (b) From the appropriation under s. 20.445 ~~(1)~~ (7) (em), the ~~department~~ board may award a grant to a public agency or a nonprofit organization, or to an employer that is responsible for the on–the–job training and supervision of a youth apprentice. A public agency or non–profit organization that receives a grant under this subsection shall use the funds awarded under the grant to award training grants to employers that provide on–the–job training and supervision for youth apprentices. Subject to par. (c), a training grant provided under this subsection may be awarded to an employer for each youth apprentice who receives at least 180 hours of paid on–the–job training from the employer during a school year, as defined in s. 115.001 (13). The amount of a training grant may not exceed $500 per youth apprentice per school year. A training grant may not be awarded for any specific youth apprentice for more than 2 school years.

**SECTION 2022.** 106.13 (4) (c) of the statutes is amended to read:

106.13 **(4)** (c) Notwithstanding par. (b), the ~~department~~ board may award a training grant under this subsection to an employer that provides less than 180 hours of paid on–the–job training for a youth apprentice during a school year, as defined in s. 115.001 (13), if the ~~department~~ board determines that it would be beneficial for the youth apprentice to receive on–the–job training from more than one employer.

**SECTION 2024.** 106.13 (5) of the statutes is amended to read:

106.13 **(5)** The ~~department~~ board shall promulgate rules to administer this section.

**SECTION 2024t.** 106.14 (title) of the statutes is amended to read:

**106.14** (title) **~~Career~~ Job centers and career counseling centers.**

**SECTION 2025d.** 106.14 (1) of the statutes, as affected by 1997 Wisconsin Act 27, section 2679, is amended to read:

106.14 **(1)** The department ~~may award grants to nonprofit corporations and public agencies for the provision of~~ shall provide a job center network throughout the state through which job seekers may receive comprehensive career planning, job placement and job training information. As part of the job center network, the department shall provide career counseling centers ~~throughout the state~~ at which youths may receive the services specified in sub. (2).

**SECTION 2026d.** 106.14 (3) of the statutes is repealed.

**SECTION 2027b.** 106.14 (4) of the statutes is repealed.

**SECTION 2027d.** 106.15 (1) (a) of the statutes is amended to read:

106.15 **(1)** (a) "Council" means the ~~governor's council on workforce excellence established under 29 USC 1792~~ council on workforce investment established under 29 USC 2821.

**SECTION 2027f.** 106.15 (1) (b) of the statutes is amended to read:

106.15 **(1)** (b) "Dislocated worker" has the meaning ~~established by the department by rule in substantial conformance with 29 USC 1652 (a)~~ given in 29 USC 2801 (9).

**SECTION 2027h.** 106.15 (1) (c) of the statutes is amended to read:

106.15 **(1)** (c) "Dislocated worker committee" means the committee or other subunit of the council that ~~deals with the dislocated workers program under 29 USC 1651 to 1662b~~ assists the governor in providing employment and training activities to dislocated workers under 29 USC 2862 to 2864.

**SECTION 2027j.** 106.15 (1) (d) of the statutes is amended to read:

106.15 **(1)** (d) "~~Substate~~ Local plan" means a ~~substate~~ local plan required under ~~29 USC 1661b (a)~~ 29 USC 2833 as a condition for a grant.

**SECTION 2027m.** 106.15 (3) (intro.) of the statutes is amended to read:

106.15 **(3)** GRANTS. (intro.) From the appropriation under s. 20.445 (1) (bc), (jm), (mb) and (mc), the department shall make grants to persons providing employment and training activities to dislocated workers ~~programs offering training and related employment services~~ including but not limited to the following:

**SECTION 2027p.** 106.15 (4) of the statutes is amended to read:

106.15 **(4)** GRANT APPROVAL. ~~No grant may be awarded~~ The department may award a grant under this section ~~unless~~ only if both of the following occur:

(a) The dislocated workers committee approves the ~~substate~~ local plan or application for funding and refers its decision to the secretary.

(b) After receiving a referral under par. (a), the secretary approves the ~~substate~~ local plan or application for funding.

**SECTION 2027r.** 106.15 (5) (intro.) of the statutes is amended to read:

106.15 **(5)** ~~SUBSTATE~~ LOCAL PLAN OR APPLICATION REVIEW. (intro.) In reviewing ~~substate~~ local plans and applications for funding under this section, the dislocated workers committee and the secretary shall consider all of the following:

**SECTION 2027t.** 106.15 (6) of the statutes is amended to read:

106.15 **(6)** RULE MAKING. The department shall ~~adopt~~ promulgate rules to administer this section. The rules shall address eligible applicants and program providers, application requirements, criteria and procedures for awarding grants, reporting and auditing procedures and administrative operations.

**SECTION 2027v.** 106.15 (7) of the statutes is amended to read:

106.15 **(7)** FUNDING. From the amounts appropriated under s. 20.445 (1) (ma), (mb) and (mc), all moneys received under ~~29 USC 1651 to 1661c~~ 29 USC 2862 to 2864 shall be expended to fund grants and operations under this section.

**SECTION 2027x.** 106.16 (2) of the statutes is amended to read:

106.16 **(2)** Any company that receives a loan or grant from a state agency or an authority under ch. 231 or 234 shall notify the department and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29 USC 2832, of any position in the company that is related to the project for which the grant or loan is received to be filled in this state within one year after receipt of the loan or grant. The company shall provide this notice at least 2 weeks prior to advertising the position.

**SECTION 2028.** 106.18 of the statutes is repealed.

**SECTION 2029c.** 106.215 (10) (g) 1. of the statutes is amended to read:

106.215 **(10)** (g) 1. A person who is employed as a corps enrollee for a 6–month to one–year period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation upon termination of employment is entitled to an incentive payment of $500 prorated in the same proportion as the number of hours of employment completed by that person bears to 2,080 hours ~~or an education voucher that is worth at least double the monetary value of the prorated incentive payment, but not more than $2,600 prorated in the same proportion as the number of hours of employment completed by that person bears to 2,080 hours. No corps enrollee may receive more than 2 incentive payments or 4 education vouchers~~.

**SECTION 2029g.** 106.215 (10) (g) 1m. of the statutes is created to read:

106.215 **(10)** (g) 1m. In lieu of the incentive payment under subd. 1., a person who is employed as a corps enrollee for at least a 6–month period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation is entitled to an education voucher that is worth at least double the monetary value of the prorated incentive payment under subd. 1., but not more than $2,800 prorated in the same proportion as the number of hours of employment completed by that person bears to 2,080 hours.

**SECTION 2029n.** 106.215 (10) (g) 2. of the statutes is amended to read:

106.215 **(10)** (g) 2. The board may authorize a partial incentive payment ~~or education voucher~~ to a person who is employed as a corps enrollee and who receives a satisfactory employment evaluation upon termination of employment if the person is employed as a corps enrollee for less than a one–year period of continuous employment and the board determines that employment was terminated because of special circumstances beyond the control of the corps enrollee or if the person is

employed as a corps enrollee for at least 10 months but less than a one–year period of continuous employment and the board determines that employment was terminated in order to enable the person to attend an institution of higher education, technical college or other training program or to enable the person to obtain other employment.

**SECTION 2029r.** 106.215 (10) (g) 2m. of the statutes is created to read:

106.215 **(10)** (g) 2m. In lieu of a partial incentive payment under subd. 2, the board may authorize a partial education voucher to a person who is employed as a corps enrollee and who receives a satisfactory employment evaluation upon termination of employment if the person is employed as a corps enrollee for less than a 6–month period of continuous employment and the board determines that employment was terminated because of special circumstances beyond the control of the corps enrollee.

**SECTION 2029w.** 106.215 (10) (g) 4. of the statutes is created to read:

106.215 **(10)** (g) 4. No corps enrollee may receive more than 2 incentive payments or 4 education vouchers under this paragraph.

**SECTION 2029x.** 108.04 (16) (c) of the statutes is amended to read:

108.04 **(16)** (c) Benefits may not be denied to an otherwise eligible individual under par. (a) who is enrolled in a program under the plan of any state for training for dislocated workers under ~~29 USC 1661~~ 29 USC 2822, notwithstanding the failure of such training to meet any of the requirements of par. (a) 1. to 4.

**SECTION 2029y.** 108.07 (8) (b) of the statutes is amended to read:

108.07 **(8)** (b) If a claimant is a prisoner of a state prison, as defined in s. 302.01, and has employment with an employer other than the department of corrections ~~or a private business leasing space within a state prison under s. 303.01 (2) (em)~~, and

the claimant's employment terminates because conditions of incarceration or supervision make it impossible to continue the employment, the department shall charge to the fund's balancing account any benefits based on the terminated employment that are otherwise chargeable to the account of an employer that is subject to the contribution requirements under ss. 108.17 and 108.18.

**SECTION 2030m.** 109.09 (1) of the statutes is amended to read:

109.09 **(1)** The department shall investigate and attempt equitably to adjust controversies between employers and employes as to alleged wage claims. The department may receive and investigate any wage claim which is filed with the department, or received by the department under s. 109.10 (4), no later than 2 years after the date the wages are due. The department may, after receiving a wage claim, investigate any wages due from the employer against whom the claim is filed to any employe during the period commencing 2 years before the date the claim is filed. The department shall enforce this chapter and ss. 20.924 (1) (i) 1., 2. and 3. and (j) 3., 66.293, 103.02, 103.49, 103.82 and 104.12. In pursuance of this duty, the department may sue the employer on behalf of the employe to collect any wage claim or wage deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except for actions under s. 109.10, the department may refer such an action to the district attorney of the county in which the violation occurs for prosecution and collection and the district attorney shall commence an action in the circuit court having appropriate jurisdiction. Any number of wage claims or wage deficiencies against the same employer may be joined in a single proceeding, but the court may order separate trials or hearings. In actions that are referred to a district attorney under this subsection, any taxable costs recovered by the district attorney shall be paid into the general fund of the county in which the violation occurs and used by that county to

meet its financial responsibility under s. 978.13 (2) for the operation of the office of the district attorney who prosecuted the action.

**SECTION 2031.** 110.07 (1) (a) (intro.) of the statutes is amended to read:

110.07 **(1)** (a) (intro.) The secretary shall employ not ~~to exceed 385~~ more than 399 traffic officers. ~~Such~~ The state traffic patrol consists of the traffic officers, ~~in addition to~~ the person designated to head them whose position shall be in the classified service~~, shall constitute the~~ and, if certified under s. 165.85 (4) (b) 1. as qualified to be a law enforcement officer, the division administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic patrol. The division administrator may not be counted under this paragraph. Members of the state traffic patrol~~, and~~ shall:

**SECTION 2032.** 110.07 (6) of the statutes is created to read:

110.07 **(6)** The division administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic patrol shall be designated superintendent of the state traffic patrol, if he or she is certified under s. 165.85 (4) (b) 1. as qualified to be a law enforcement officer.

**SECTION 2033m.** 111.322 (2m) (c) of the statutes is amended to read:

111.322 **(2m)** (c) The individual files a complaint or attempts to enforce a right under s. 20.924 (1) (i) 1., 2. or 3. or (j) 3., 66.293 or 103.49 or testifies or assists in any action or proceeding under s. 20.924 (1) (i) 1., 2. or 3. or (j) 3., 66.293 or 103.49.

**SECTION 2034.** 111.70 (1) (j) of the statutes is amended to read:

111.70 **(1)** (j) "Municipal employer" means any city, county, village, town, metropolitan sewerage district, school district, family care district or any other political subdivision of the state ~~which~~ that engages the services of an employe and

includes any person acting on behalf of a municipal employer within the scope of the person's authority, express or implied.

**SECTION 2039.** 114.20 (11) of the statutes is amended to read:

114.20 **(11)** ISSUANCE OF CERTIFICATE OF REGISTRATION; DISPLAY OF CERTIFICATE; REFUNDS. Upon payment of a registration fee or transfer of registration fee, the department shall issue evidence of registration which shall be displayed at all times in the manner prescribed by the department. A refund may be made for aircraft registration fees paid in error as determined by the department. ~~Refunds under this section shall be paid out of the appropriation under s. 20.395 (4) (aq).~~

**SECTION 2039g.** 114.31 (3) of the statutes is renumbered 114.31 (3) (a).

**SECTION 2039h.** 114.31 (3) (b) of the statutes is created to read:

114.31 **(3)** (b) From the appropriation under s. 20.395 (2) (ds), the department shall administer an aviation career education program to provide training and apprenticeship opportunities associated with aviation careers for socially and economically disadvantaged youth.

**SECTION 2040.** 115.28 (24) of the statutes is amended to read:

115.28 **(24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to local community organizations under sub. (21) and to school boards under ss. 115.36 and ~~115.362~~ 115.361, and in awarding grants from federal funds received under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 1602 (b) (1), to programs that provide more than one of the educational services specified under sub. (21), s. 115.36, ~~115.362~~ 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471, 20 USC 4601 to 4665 or 29 USC 1602 (b) (1).

**SECTION 2040d.** 115.28 (24) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

115.28 **(24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to local community organizations under sub. (21) and to school boards under ss. 115.36 and 115.361, and in awarding grants from federal funds received under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B), to programs that provide more than one of the educational services specified under sub. (21), s. 115.36, 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471, 20 USC 4601 to 4665 or ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B).

**SECTION 2041.** 115.28 (25) of the statutes is created to read:

115.28 **(25)** SCHOOL TECHNOLOGY RESOURCE GRANTS. Consult with the technology for educational achievement in Wisconsin board before awarding school technology resource grants under 20 USC 6842.

**SECTION 2041m.** 115.28 (26) of the statutes is created to read:

115.28 **(26)** PERIODICAL AND REFERENCE INFORMATION DATA BASES. Contract with one or more persons to provide statewide access, through the Internet, to periodical and reference information data bases.

**SECTION 2042.** 115.28 (39) of the statutes is amended to read:

115.28 **(39)** ALCOHOL AND OTHER DRUG ABUSE REPORT. By July 1, 1998, and biennially by July 1 thereafter, evaluate the effectiveness of the programs under ss. 115.36~~,~~ and 115.361 ~~and 115.362~~ and submit a report to the legislature under s. 13.172 (2). To satisfy this reporting requirement as it pertains to s. 115.361, the department may incorporate into the report under this subsection the report required under s. 115.361 ~~(7) (c)~~ (2).

**SECTION 2043.** 115.355 of the statutes is amended to read:

**115.355 Assistance to schools for instruction on adoption.** The department shall annually and upon request disseminate to appropriate public

school staff information about materials and services available through the state adoption center under s. ~~48.551~~ 48.55 which may serve as resources for instruction on adoption for pupils in grades kindergarten through 12.

**SECTION 2044.** 115.36 (3) (a) (intro.) of the statutes is amended to read:

115.36 **(3)** (a) (intro.) The department shall, from the appropriation under s. 20.255 (2) ~~(g)~~ (kd), fund school district projects designed to assist minors experiencing problems resulting from the use of alcohol or other drugs or to prevent alcohol or other drug abuse by minors. The department shall:

**SECTION 2045.** 115.361 of the statutes is repealed and recreated to read:

**115.361 Alcohol and other drug abuse prevention and intervention programs. (1)** A school board may apply to the department for a grant to fund an alcohol and other drug abuse prevention and intervention program. The department shall pay grants awarded under this section from the appropriation under s. 20.255 (2) (dm) and shall promulgate rules to implement and administer this section.

**(2)** The department shall collect and analyze information about the programs funded under this section, evaluate their effectiveness and submit a report of the evaluation to the appropriate standing committees of the legislature under s. 13.172 (3) and to the governor by July 1, 2000, and biennially by July 1 thereafter.

**SECTION 2046.** 115.3615 of the statutes is amended to read:

**115.3615 Head start supplement.** From the ~~appropriation~~ appropriations under s. 20.255 (2) (eh) and (kh), the state superintendent shall distribute funds to agencies determined by the state superintendent to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social and other services to economically disadvantaged children and their families. The state superintendent shall distribute the funds in

a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The state superintendent shall give preference in funding under this section to ~~an agency that is~~ agencies that are receiving federal funds under 42 USC 9831 to 9852 and to agencies that operate full–time or early head start programs. Funds distributed under this section may be used to match available federal funds under 42 USC 9831 to 9852 only if the funds are used to secure additional federal funds for the purposes under this section.

**SECTION 2047.** 115.362 of the statutes is repealed.

**SECTION 2050.** 115.42 (1) (a) (intro.) of the statutes is amended to read:

115.42 **(1)** (a) (intro.) ~~In the 1999–2000 school year the~~ The department shall award a ~~$2,000~~ grant to any person who satisfies all of the following requirements:

**SECTION 2051.** 115.42 (1) (a) 1. of the statutes is amended to read:

115.42 **(1)** (a) 1. The person is certified by the National Board for Professional Teaching Standards ~~before July 1, 2000~~.

**SECTION 2052.** 115.42 (1) (b) of the statutes is created to read:

115.42 **(1)** (b) The grant under this subsection shall be an amount equal to the costs of obtaining certification under par. (a) 1. that are borne by the person, not to exceed $2,000. The department shall award the grant under this subsection in the school year in which the person is certified under par. (a) 1., except that if the person becomes certified under par. (a) 1. while he or she is not a resident of this state, the department shall award the grant under this subsection in the first school year in which the person meets the requirements under par. (a).

**SECTION 2053.** 115.42 (2) (intro.) of the statutes is amended to read:

115.42 **(2)** (intro.) ~~In the 2000–01 school year the~~ The department shall award a $2,500 grant to each person who received a grant under sub. (1) in each of the 9

school years following the school year in which he or she received the grant if the person satisfies all of the following requirements:

**SECTION 2054.** 115.75 (1) (a) of the statutes is amended to read:

115.75 **(1)** (a) Subject to the requirements of par. (b), each alternative school operating an American Indian language and culture education program under this subchapter shall receive state aid, from the appropriation under s. 20.255 (2) ~~(ci)~~ (km), in an amount equal to ~~$185~~ $200 for each pupil who has completed the fall semester in the program.

**SECTION 2055.** 115.75 (3) of the statutes is amended to read:

115.75 **(3)** If the appropriation under s. 20.255 (2) ~~(ci)~~ (km) in any year is insufficient to pay the full amount of aid under this section, state aid payments shall be prorated among the alternative schools entitled to such aid.

**SECTION 2055m.** 115.775 of the statutes is created to read:

**115.775 Duties of operators of certain charter schools.** An operator of a charter school under s. 118.40 (2r) is a local educational agency, as defined in 20 USC 1401 (15), and shall comply with 20 USC 1400 to 1491o.

**SECTION 2057.** 115.88 (1m) (a) of the statutes is amended to read:

115.88 **(1m)** (a) If, upon receipt of the plan under s. 115.77 (4), the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to ~~63% of~~ the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in sub. (1), including the salary portion of any authorized contract for physical or

occupational therapy services, ~~except as provided in par. (b),~~ and other expenses approved by the state superintendent~~. The department of administration shall pay such amounts to the county, agency and school district~~ as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

**SECTION 2058.** 115.88 (1m) (am) of the statutes is created to read:

115.88 **(1m)** (am) If the operator of a charter school established under s. 118.40 (2r) operates a special education program and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the charter school expended during the previous school year for salaries of full–time or part–time licensed teachers, licensed coordinators of special education, licensed school social workers, licensed school psychologists, paraprofessionals, licensed consulting teachers to work with any teacher of regular education programs who has a child with a disability in a class and any other personnel, as determined by the state superintendent. Certified costs under this paragraph are eligible for reimbursement from the appropriation under s. 20.255 (2) (b). The state superintendent may audit costs under this paragraph and adjust reimbursement to cover only actual, eligible costs.

**SECTION 2059.** 115.88 (1m) (b) of the statutes is repealed.

**SECTION 2060.** 115.88 (2) of the statutes is amended to read:

115.88 **(2)** TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4) the state superintendent is satisfied that the transportation of children with disabilities has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in

favor of each county, cooperative educational service agency or school district transporting such pupils ~~63% of~~ an amount equal to the amount expended for such transportation as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and (br). Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). ~~The department of administration shall pay such amounts to the county, agency or school district from the appropriations under s. 20.255 (2) (b) and (br).~~ This subsection applies to any child with a disability who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with a disability attending regular or special classes who does not require any special or additional transportation.

**SECTION 2061.** 115.88 (2m) of the statutes is created to read:

115.88 **(2m)** OTHER TRANSPORTATION AID. If the operator of a charter school established under s. 118.40 (2r) transports children with disabilities and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the charter school expended during the previous school year for transportation under this subsection as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b). The state superintendent may audit costs under this subsection and adjust reimbursement to cover only actual, eligible costs.

**SECTION 2061e.** 115.88 (3) of the statutes is amended to read:

115.88 **(3)** BOARD AND LODGING AID. There shall be paid the amount expended for board and lodging and transportation between the boarding home and the special

education program of nonresident children enrolled under s. 115.82 (1) in the special education program. The department shall certify ~~the full amount~~ to the department of administration ~~which shall pay such amount from the appropriation under s. 20.255 (2) (b) to the~~ in favor of each school district, cooperative educational service agency, county children with disabilities education board, state agency of another state or private, nonsectarian special education service which operates the special education program while providing board, lodging and transportation an amount equal to the amount expended for such board and lodging and transportation as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

**SECTION 2061m.** 115.88 (6) of the statutes is amended to read:

115.88 **(6)** AID FOR INSTRUCTION OUTSIDE OF DISTRICT. ~~From the appropriation under s. 20.255 (2) (b) there shall be paid the full cost of salary~~ The department shall certify to the department of administration, in favor of each school district, an amount equal to the amount expended for salaries and travel expenses, ~~in amounts~~ as determined in advance by the state superintendent, ~~to school districts~~ for providing special education outside the school district of employment, as eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

**SECTION 2061s.** 115.88 (8) of the statutes is amended to read:

115.88 **(8)** ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in a public special education program located in another state and the state superintendent is satisfied that the program in which the child is enrolled complies with this subchapter, the state superintendent shall certify to the department of administration in favor of the school district in which the child resides or the school district attended by the child under s. 118.51 a sum equal to the ~~percentage of the approved costs under subs. (1) and (2) of the~~ amount expended by the school district

during the preceding year for the additional costs associated with the child's special education program~~. The department of administration shall pay the amount to the school district~~ as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

**SECTION 2062.** 115.88 (9) of the statutes is amended to read:

115.88 **(9)** DISTRIBUTION SCHEDULE. Each county, cooperative educational service agency, operator of a charter school established under s. 118.40 (2r) and school district entitled to state aid under this section shall receive 15% of its total aid entitlement in each month from November to March and 25% of its total entitlement in June.

**SECTION 2063.** 115.882 of the statutes is repealed and recreated to read:

**115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and (br) under ss. 115.88 (1m) to (3), (6) and (8), 115.93 and 118.255 (4) shall be reimbursed at a rate set to distribute the full amount appropriated for reimbursement for such costs, not to exceed 100%.

**SECTION 2064.** 115.93 (1) of the statutes is renumbered 115.93 and amended to read:

**115.93 State aid.** ~~Except as provided under sub. (2), if~~ If upon receipt of the reports under s. 115.92 (2) the state superintendent is satisfied that the school age parents program has been maintained during the preceding school year in accordance with the rules under s. 115.92 (3), the state superintendent shall certify to the department of administration in favor of each school district maintaining the program a sum equal to ~~63% of~~ the amount expended by the school district during the preceding school year for salaries of teachers and instructional aides, special

transportation and other expenses approved by the state superintendent~~. The department of administration shall pay such amounts to the school district~~ as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

**SECTION 2065.** 115.93 (2) of the statutes is repealed.

**SECTION 2065m.** 115.995 of the statutes is renumbered 115.995 (intro.) and amended to read:

**115.995 State aids.** (intro.) Upon receipt of the report under s. 115.993, if the state superintendent is satisfied that the bilingual–bicultural education program for the previous school year was maintained in accordance with this subchapter, the state superintendent shall ~~certify~~ do all of the following:

**(2)** Certify to the department of administration in favor of the school district a sum equal to a percentage of the amount expended on limited–English speaking pupils by the school district during the preceding year for salaries of personnel participating in and attributable to bilingual–bicultural education programs under this subchapter, special books and equipment used in the bilingual–bicultural programs and other expenses approved by the state superintendent. The percentage shall be determined by dividing the amount in the appropriation under s. 20.255 (2) (cc) in the current school year less $250,000 by the total amount of aidable costs in the previous school year.

**SECTION 2065n.** 115.995 (1) of the statutes is created to read:

115.995 **(1)** From the appropriation under s. 20.255 (2) (cc), divide proportionally, based upon costs reported under s. 115.993, an annual payment of $250,000 among school districts whose enrollments in the previous school year were at least 15% limited–English speaking pupils. Aid paid under this subsection does not reduce aid paid under sub. (2).

**SECTION 2068.** 118.153 (3m) of the statutes is renumbered 106.13 (4m) and amended to read:

106.13 **(4m)** (a) ~~After reviewing the recommendations of the governor's council on workforce excellence under s. 106.115 (2) (em), the state superintendent~~ The board may approve an innovative school–to–work program provided by a nonprofit organization for children at risk, as defined in s. 118.153 (1) (a), in a county having a population of 500,000 or more to assist those children at risk in acquiring employability skills and occupational–specific competencies before leaving high school. If the ~~state superintendent~~ board approves a program under this paragraph, the ~~state superintendent~~ board may award a grant, from the appropriation under s. ~~20.255 (3) (ef)~~ 20.445 (7) (ef), to the nonprofit organization providing the program and the nonprofit organization shall use the funds received under the grant to provide the program.

(b) The ~~state superintendent~~ board shall establish requirements for the operation of the grant program under this subsection. ~~Those~~ Notwithstanding sub. (5), those requirements need not be promulgated as rules.

**SECTION 2070.** 118.255 (4) of the statutes is amended to read:

118.255 **(4)** If the state superintendent is satisfied that the health treatment services program has been maintained during the preceding school year in accordance with law, the state superintendent shall certify to the department of administration in favor of each school board, cooperative educational service agency and county children with disabilities education board maintaining such health treatment services, an amount equal to ~~63% of~~ the amount expended for items listed in s. 115.88 (1m) by the school board, cooperative educational service agency and county children with disabilities education board during the preceding year for these

health treatment services~~. The department of administration, upon such certification shall distribute the amounts to the appropriate school board, cooperative educational service agency and county children with disabilities education board~~ as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

**SECTION 2071g.** 118.30 (1) (a) of the statutes is renumbered 118.30 (1).

**SECTION 2071r.** 118.30 (1) (b) of the statutes is repealed.

**SECTION 2072.** 118.30 (1g) (a) of the statutes is renumbered 118.30 (1g) (a) 1.

**SECTION 2073.** 118.30 (1g) (a) 2. of the statutes is created to read:

118.30 **(1g)** (a) 2. By January 1, 2000, or by January 1 of the 1st school year of operation, whichever is later, each operator of a charter school under s. 118.40 (2r) shall adopt pupil academic standards in mathematics, science, reading and writing, geography and history. The operator of the charter school may adopt the pupil academic standards issued by the governor as executive order no. 326, dated January 13, 1998.

**SECTION 2074m.** 118.30 (1g) (b) of the statutes is repealed.

**SECTION 2075.** 118.30 (1g) (c) of the statutes is amended to read:

118.30 **(1g)** (c) Each school board operating elementary grades and each operator of a charter school under s. 118.40 (2r) that operates elementary grades may develop or adopt its own examination designed to measure pupil attainment of knowledge and concepts in the 4th grade and may develop or adopt its own examination designed to measure pupil attainment of knowledge and concepts in the 8th grade. If the school board or operator of the charter school develops or adopts an examination under this paragraph, it shall notify the department.

**SECTION 2076.** 118.30 (1m) (intro.) of the statutes is amended to read:

118.30 **(1m)** (intro.) Except as otherwise provided in this section ~~and in s. 118.40 (2r) (d)~~, annually each school board shall do all of the following:

**SECTION 2076g.** 118.30 (1m) (a) of the statutes is amended to read:

118.30 **(1m)** (a) 1. Except as provided in sub. (6), administer the 4th grade examination adopted or approved by the state superintendent under sub. (1) ~~(a)~~ to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 4th grade. Beginning on July 1, 2002, if the school board has not developed and adopted its own 4th grade examination, the school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~ take the examination administered under this subdivision ~~that is sufficient for promotion under sub. (5) (a) 1~~.

2. Beginning on July 1, 2002, if the school board has developed or adopted its own 4th grade examination, administer that examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 4th grade. The school board shall provide a pupil with at least 2 opportunities to ~~pass~~ take the examination administered under this subdivision.

**SECTION 2076r.** 118.30 (1m) (am) of the statutes is amended to read:

118.30 **(1m)** (am) 1. Except as provided in sub. (6), administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) ~~(a)~~ to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 8th grade. Beginning on July 1, 2002, if the school board has not developed and adopted its own 8th grade examination, the school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~ take the examination administered under this subdivision ~~that is sufficient for promotion under sub. (5) (b) 1~~.

2. Beginning on July 1, 2002, if the school board has developed or adopted its own 8th grade examination, administer that examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 8th grade. The school board shall provide a pupil with at least 2 opportunities to ~~pass~~ take the examination administered under this subdivision.

**SECTION 2077.** 118.30 (1m) (b) of the statutes is amended to read:

118.30 **(1m)** (b) Administer the 10th grade examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 10th grade. ~~This paragraph does not apply after the 2000–01 school year.~~

**SECTION 2078m.** 118.30 (1m) (d) of the statutes is repealed.

**SECTION 2080.** 118.30 (1r) of the statutes is created to read:

118.30 **(1r)** Annually each operator of a charter school under s. 118.40 (2r) shall do all of the following:

(a) 1. Except as provided in sub. (6), administer the 4th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils enrolled in the charter school in the 4th grade. Beginning on July 1, 2002, if the operator of the charter school has not developed or adopted its own 4th grade examination, the operator of the charter school shall provide a pupil with at least 2 opportunities to take the examination administered under this subdivision.

2. Beginning on July 1, 2002, if the operator of the charter school has developed or adopted its own 4th grade examination, administer that examination to all pupils enrolled in the charter school in the 4th grade. The operator of the charter school shall provide a pupil with at least 2 opportunities to take the examination administered under this subdivision.

(am) 1. Except as provided in sub. (6), administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils enrolled in the charter school in the 8th grade. Beginning on July 1, 2002, if the operator of the charter school has not developed and adopted its own 8th grade examination, the operator of the charter school shall provide a pupil with at least 2 opportunities to take the examination administered under this subdivision.

2. Beginning on July 1, 2002, if the operator of the charter school has developed or adopted its own 8th grade examination, administer that examination to all pupils enrolled in the charter school in the 8th grade. The operator of the charter school shall provide a pupil with at least 2 opportunities to take the examination administered under this subdivision.

(b) Administer the 10th grade examination to all pupils enrolled in the charter school in the 10th grade.

**SECTION 2081.** 118.30 (2) (b) 1. and 2. of the statutes are amended to read:

118.30 **(2)** (b) 1. If a pupil is enrolled in a special education program under subch. V of ch. 115, the school board <u>or operator of the charter school under s. 118.40 (2r)</u> shall comply with s. 115.77 ~~(1)~~ <u>(1m)</u> (bg).

2. According to criteria established by the state superintendent by rule, the school board <u>or operator of the charter school under s. 118.40 (2r)</u> may determine not to administer an examination under this section to a limited–English speaking pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or her native language or may modify the format and administration of an examination for such pupils.

**SECTION 2082.** 118.30 (2) (b) 3. of the statutes is amended to read:

118.30 **(2)** (b) 3. Upon the request of a pupil's parent or guardian, the school board shall excuse the pupil from taking an examination administered under ~~this section~~ sub. (1m) (a), (am) or (b).

**SECTION 2082g.** 118.30 (2) (b) 4. of the statutes is created to read:

118.30 **(2)** (b) 4. Upon the request of a pupil's parent or guardian, the operator of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an examination administered under sub. (1r) (a), (am) or (b).

**SECTION 2082r.** 118.30 (5) of the statutes is repealed.

**SECTION 2084.** 118.30 (6) of the statutes is amended to read:

118.30 **(6)** A school board and an operator of a charter school under s. 118.40 (2r) is not required to administer the 4th and 8th grade examinations adopted or approved by the state superintendent under sub. (1) ~~(a)~~ if the school board or the operator of the charter school administers its own 4th and 8th grade examinations, the school board or operator of the charter school provides the state superintendent with statistical correlations of those examinations with the examinations adopted or approved by the state superintendent under sub. (1) ~~(a)~~, and the federal department of education approves.

**SECTION 2084m.** 118.33 (title) of the statutes is amended to read:

**118.33** (title) **High school graduation standards; criteria for promotion.**

**SECTION 2085m.** 118.33 (1) (cm) of the statutes is repealed.

**SECTION 2086f.** 118.33 (1) (e) of the statutes is repealed.

**SECTION 2086m.** 118.33 (6) of the statutes is created to read:

118.33 **(6)** (a) 1. Each school board shall adopt a written policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination

administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from taking the examination under s. 118.30 (2) (b), the pupil's academic performance and the recommendations of teachers, and may include any other criteria specified by the school board. Except as provided in par. (b) 1., the criteria apply to pupils enrolled in charter schools located in the school district.

2. Except as provided in par. (b) 2., beginning on September 1, 2002, a school board may not promote a 4th grade pupil enrolled in the school district, including a pupil enrolled in a charter school located in the school district, to the 5th grade, and may not promote an 8th grade pupil enrolled in the school district, including a pupil enrolled in a charter school located in the school district, to the 9th grade, unless the pupil satisfies the criteria for promotion specified in the school board's policy adopted under subd. 1.

(b) 1. Each operator of a charter school under s. 118.40 (2r) shall adopt a written policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am), unless the pupil has been excused from taking the examination under s. 118.30 (2) (b), the pupil's academic performance and the recommendations of teachers, and may include any other criteria specified by the operator of the charter school.

2. Beginning on September 1, 2002, an operator of a charter school under s. 118.40 (2r) may not promote a 4th grade pupil to the 5th grade, and may not promote an 8th grade pupil to the 9th grade, unless the pupil satisfies the criteria for promotion specified in the charter school operator's policy under subd. 1.

**SECTION 2086t.** 118.34 (4) of the statutes is created to read:

118.34 **(4)** The governor's work–based learning board shall review the local technical preparation programs established under sub. (1) as operated during the 1999–2000 fiscal year, the organizational structure used to implement those programs during that fiscal year and the allocation of funding to those programs for that fiscal year to determine whether those programs, that organizational structure and that allocation of funding should continue in the manner in which they were provided during the 1999–2000 fiscal year beyond that fiscal year and shall submit a plan for the implementation of those programs beyond the 1999–2000 fiscal year to the joint committee on finance by June 15, 2000. If the cochairpersons of the committee do not notify the governor's work–based learning board within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the board may implement the plan, notwithstanding subs. (1), (2) and (3). If within 14 working days after the date of submittal of the plan, the cochairpersons of the committee notify the governor's work–based learning board that the committee has scheduled a meeting for the purpose of reviewing the plan, the board may implement the plan, notwithstanding subs. (1), (2) and (3), only as approved or modified by the committee.

**SECTION 2088.** 118.40 (2) (a) of the statutes is amended to read:

118.40 **(2)** (a) Within 30 days after receiving a petition under sub. (1m) the school board shall hold a public hearing on the petition. At the hearing, the school board shall consider the level of employe and parental support for the establishment of the charter school described in the petition and the fiscal impact of the establishment of the charter school on the school district. ~~After the hearing, the school board may grant the petition.~~

**SECTION 2089.** 118.40 (2) (c) of the statutes is amended to read:

118.40 **(2)** (c) The school board ~~of the school district operating under ch. 119~~ shall either grant or deny the petition within 30 days after the public hearing. If the school board ~~of the school district operating under ch. 119~~ denies a petition, the person seeking to establish the charter school may, within 30 days after the denial, appeal the denial to the department. The department shall issue a decision within 30 days after receiving the appeal. The department's decision is final and not subject to judicial review under ch. 227.

**SECTION 2090.** 118.40 (2r) (d) 2. of the statutes is amended to read:

118.40 **(2r)** (d) 2. Administer the examinations under ss. 118.30 ~~(1m)~~ (1r) and 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

**SECTION 2090m.** 118.40 (2r) (e) of the statutes is amended to read:

118.40 **(2r)** (e) From the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the ~~shared cost per member in the previous school year of the school district operating under ch. 119~~ sum of the amount paid under this paragraph in the previous school year and the amount of revenue increase per pupil allowed under subch. VII of ch. 121 in the current school year, multiplied by the number of pupils attending the charter school. The department shall pay 25% of the total amount in September, 25% in December, 25% in February and 25% in June. The department shall send the check to the operator of the charter school.

**SECTION 2091.** 118.40 (2r) (f) of the statutes is repealed.

**SECTION 2092.** 118.40 (2r) (g) of the statutes is repealed.

**SECTION 2093.** 118.40 (7) (am) 1. of the statutes is amended to read:

118.40 **(7)** (am) 1. Except as provided in ~~subds.~~ subd. 2. ~~and 3.~~, if a charter school is established under sub. (2m) and located in the school district operating

under ch. 119, the school board of that school district shall determine whether or not the charter school is an instrumentality of the school district. If the school board determines that a charter school is an instrumentality of the school district, the school board shall employ all personnel for the charter school. If the school board determines that a charter school is not an instrumentality of the school district, the school board may not employ any personnel for the charter school.

**SECTION 2094.** 118.40 (7) (am) 3. of the statutes is repealed.

**SECTION 2095.** 118.42 of the statutes is repealed.

**SECTION 2096.** 118.43 (2) (a) of the statutes is amended to read:

118.43 **(2)** (a) The school board of any school district in which a school in the previous school year had an enrollment that was at least 50% low–income is eligible to participate in the program under this section<u>, except that a school board is eligible to participate in the program under this section in the 2000–01 school year if in the 1998–99 school year a school in the school district had an enrollment that was at least 50% low–income</u>.

**SECTION 2097.** 118.43 (2) (b) (intro.) of the statutes is amended to read:

118.43 **(2)** (b) (intro.) In the 1996–97 ~~and 1998–99~~ school ~~years~~ <u>year</u>, the school board of an eligible school district may enter into a 5–year achievement guarantee contract with the department on behalf of one school in the school district if all of the following apply:

**SECTION 2098.** 118.43 (2) (bg) of the statutes is created to read:

118.43 **(2)** (bg) In the 1998–99 school year, the school board of an eligible school district may enter into a 5–year achievement guarantee contract with the department on behalf of one school in the school district if all of the following apply:

1. In the previous school year, the school had an enrollment that was at least 30% low–income.

2. The school board is not receiving a grant under the preschool to grade 5 program on behalf of the school under s. 115.45.

**SECTION 2099.** 118.43 (2) (br) of the statutes is created to read:

118.43 **(2)** (br) In the 2000–01 school year, the school board of an eligible school district other than the school district operating under ch. 119 may enter into a 5–year achievement guarantee contract with the department on behalf of one or more schools in the school district if all of the following apply:

1. In the previous school year, each school had an enrollment that was at least 65% low–income.

2. The school board is not receiving a grant under the preschool to grade 5 program on behalf of any of the schools under s. 115.45.

3. The school board, if eligible to participate in the program under this section in the 1996–97 and 1998–99 school years, had participated in the program during either school year.

4. None of the schools is a beneficiary of a contract under this section.

**SECTION 2100.** 118.43 (2) (bt) of the statutes is created to read:

118.43 **(2)** (bt) In the 2000–01 school year, the school board of the school district operating under ch. 119 may enter into a 5–year achievement guarantee contract with the department on behalf of one or more schools in the school district if all of the following apply:

1. In the previous school year, each school had an enrollment that was at least 65% low–income.

2. The school board is not receiving a grant under the preschool to grade 5 program under s. 115.45 on behalf of any of the schools.

3. None of the schools is a beneficiary of a contract under this section.

**SECTION 2101.** 118.43 (2) (c) of the statutes is amended to read:

118.43 **(2)** (c) Notwithstanding ~~par.~~ pars. (b) and (bg), the school board of the school district operating under ch. 119 may enter into an achievement guarantee contract on behalf of up to 10 schools under par. (b) and up to 10 schools under par. (bg).

**SECTION 2102.** 118.43 (2) (e) 1. of the statutes is amended to read:

118.43 **(2)** (e) 1. If the school board of an eligible school district does not enter into an achievement guarantee contract with the department, a school board that has entered into such a contract, other than the school board of the school district operating under ch. 119, may apply to the department to enter into such a contract on behalf of one ~~additional school~~ or more schools that ~~meets~~ meet the requirements under par. (b), (bg) or (br).

**SECTION 2103.** 118.43 (2) (f) of the statutes is amended to read:

118.43 **(2)** (f) The department may not enter into an achievement guarantee contract with a school board on behalf of a school after June 30, ~~1999~~ 2001.

**SECTION 2104.** 118.43 (3) (intro.) of the statutes is amended to read:

118.43 **(3)** CONTRACT REQUIREMENTS. (intro.) Except as provided in ~~par.~~ pars. (am) and (ar), an achievement guarantee contract shall require the school board to do all of the following in each participating school:

**SECTION 2105.** 118.43 (3) (ar) of the statutes is created to read:

118.43 **(3)** (ar) *Class size; additional contracts.* For contracts that begin in the 2000–01 school year, reduce each class size to 15 in the following manner:

1. In the 2000–01 school year, in at least grades kindergarten and one.

2. In the 2001–02 school year, in at least grades kindergarten to 2.

3. In the 2002–03 to 2004–05 school years, in at least grades kindergarten to 3.

**SECTION 2106.** 118.43 (5) (b) of the statutes is amended to read:

118.43 **(5)** (b) ~~At the end of the 1997–98, 1998–99, 1999–2000, 2000–01 and 2001–02 school years~~ Annually by June 30 through the 2003–04 school year, a committee consisting of the state superintendent, the chairpersons of the education committees in the senate and assembly and the individual chiefly responsible for the evaluation under sub. (7) shall review the progress made by each school for which an achievement guarantee contract has been entered into. The committee may recommend to the department that the department terminate a contract if the committee determines that the school board has violated the contract or if the school has made insufficient progress toward achieving its performance objectives under sub. (4) (c). The department may terminate the contract if it agrees with the committee's recommendation.

**SECTION 2106r.** 118.43 (6) (b) 5. of the statutes is repealed.

**SECTION 2107.** 118.43 (6) (b) 6., 7. and 8. of the statutes are created to read:

118.43 **(6)** (b) 6. In the 2000–01 school year, divide the amount appropriated by the sum of the number of low–income pupils enrolled in grades kindergarten to 3 in each school in this state covered by contracts under sub. (3) (a) and (am) and the number of low–income pupils enrolled in grades kindergarten and one in each school in this state covered by contracts under sub. (3) (ar) and multiply the quotient by the number of pupils enrolled in those grades in each school in the school district covered by contracts under this section.

7. In the 2001–02 school year, divide the amount appropriated by the sum of the number of low–income pupils enrolled in grades kindergarten to 3 in each school in this state covered by contracts under sub. (3) (am) and the number of low–income pupils enrolled in grades kindergarten to 2 in each school in this state covered by contracts under sub. (3) (ar) and multiply the quotient by the number of pupils enrolled in those grades in each school in the school district covered by contracts under this section.

8. In the 2002–03 to 2004–05 school years, divide the amount appropriated by the number of low–income pupils enrolled in grades kindergarten to 3 in each school in this state covered by contracts under sub. (3) (am) and (ar) and multiply the quotient by the number of pupils enrolled in those grades in each school in the school district covered by contracts under this section.

**SECTION 2107f.** 118.55 (7r) (d) 1. (intro.) and a. of the statutes are consolidated, renumbered 118.55 (7r) (d) 1. and amended to read:

118.55 **(7r)** (d) 1. For each pupil attending a technical college under this subsection, the school board shall pay to the technical college district board, in 2 instalments payable upon initial enrollment and at the end of the semester, ~~the following amount: a. If the pupil is attending the technical college for less than 7 credits that are eligible for high school credit,~~ for those courses taken for high school credit, an amount equal to the cost of tuition, course fees and books for the pupil at the technical college.

**SECTION 2107g.** 118.55 (7r) (d) 1. b. of the statutes is repealed.

**SECTION 2107n.** 118.55 (7t) of the statutes is created to read:

118.55 **(7t)** LIMITATIONS ON PARTICIPATION AND PAYMENT. (a) When a pupil gains 12th grade status, as determined by the school board of the school district in which

the pupil is enrolled, the pupil may participate in the program under this section for no more than 2 consecutive semesters.

(b) If a school board is required to pay tuition on behalf of a pupil under sub. (5) (a) or (c) 1. or (7r) (d), the tuition charged may not exceed the amount that would be charged a pupil who is a resident of this state.

**SECTION 2107r.** 118.55 (7w) (title) of the statutes is repealed.

**SECTION 2107t.** 118.55 (7w) of the statutes is renumbered 118.55 (7r) (f) and amended to read:

118.55 **(7r)** (f) A pupil taking a course at a technical college for high school credit under this ~~section~~ subsection is not responsible for any portion of the tuition and fees for the course if the school board is required to pay the technical college for the course under ~~sub. (7r)~~ par. (d).

**SECTION 2109m.** 119.23 (2) (a) 1. of the statutes is amended to read:

119.23 **(2)** (a) 1. The pupil is a member of a family that has a total family income that does not exceed an amount equal to 1.75 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget. The requirement under this subdivision does not apply after the pupil's first school year of attendance at the private school under this section.

**SECTION 2109p.** 119.23 (4) of the statutes is renumbered 119.23 (4) (intro.) and amended to read:

119.23 **(4)** (intro.) Upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school, the state superintendent shall pay to the parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal

to the sum of the amount of revenue increase per pupil allowed under subch. VII of ch. 121 in the current school year and the following amount:

(a) 1. In the 1999–2000 school year, the total amount to which the school district ~~is~~ was entitled under s. 121.08 in the 1998–99 school year divided by the school district membership~~, or an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, whichever is less~~ in the 1997–98 school year.

(b) The state superintendent shall pay 25% of the total amount under par. (a) in September, 25% in November, 25% in February and 25% in May. The department shall send the check to the private school. The parent or guardian shall restrictively endorse the check for the use of the private school.

**SECTION 2109r.** 119.23 (4) (a) 2. of the statutes is created to read:

119.23 **(4)** (a) 2. In the 2000–01 school year and in each school year thereafter, the amount paid under this subsection in the previous school year.

**SECTION 2110.** 119.23 (5) (intro.) and (c) of the statutes are consolidated, renumbered 119.23 (5) and amended to read:

119.23 **(5)** The state superintendent shall~~: (c) Ensure~~ ensure that pupils and parents and guardians of pupils who reside in the city are informed annually of the private schools participating in the program under this section.

**SECTION 2111.** 119.23 (5) (a) of the statutes is repealed.

**SECTION 2112.** 119.23 (5) (b) of the statutes is repealed.

**SECTION 2113g.** 119.24 of the statutes is amended to read:

**119.24 Admission of pupils.** ~~Each school under the jurisdiction of the board shall be open to pupils residing within the attendance district established for that school under s. 119.16 (2).~~ A pupil ~~residing in any such district~~ may attend a school

in ~~another~~ an attendance district other than the one in which he or she resides with the written permission of the superintendent of schools. Beginning in the 2000–01 school year, the board shall provide spaces in each school for pupils who reside outside the attendance district for the school, but shall fill any unused spaces with pupils who reside in the attendance district. A pupil who attends a school may continue to attend that school until he or she graduates from the school and each sibling of that pupil shall be given priority over other pupils in the process of admission for that school.

**SECTION 2118g.** 119.71 (2) of the statutes is repealed.

**SECTION 2118r.** 119.71 (3) of the statutes is amended to read:

119.71 **(3)** (a) ~~The~~ Annually, the board shall ~~use the funds received under sub. (2)~~ spend at least $5,090,000 to expand its half–day 5–year–old kindergarten program to a full–day program, as provided under par. (b), and shall enroll in the expanded program only pupils who meet the income eligibility standards for a free lunch under 42 USC 1758 (b). The board shall select pupils for the expanded program based on the order in which the pupils register for the program.

(b) The board shall use the funds ~~received~~ specified under ~~sub. (2)~~ par. (a) to pay the costs of teachers, aides and other support staff, transportation of staff to pupils' homes, in–service programs, parental involvement programs and instructional materials. The board may not use the funds ~~to supplant or replace funding otherwise available for full–day 5–year–old kindergarten or~~ to provide facilities to house the program or to pay pupil transportation or indirect administrative costs associated with the program.

**SECTION 2119.** 119.72 (5) of the statutes is amended to read:

119.72 **(5)** From the appropriation under s. 20.255 (2) ~~(ec)~~ (kp), the state superintendent shall pay to the board the amount specified in the spending plan under s. 119.80 for the program under this section in each school year.

**SECTION 2119m.** 119.74 (intro.) of the statutes is amended to read:

**119.74 Extended–day elementary grade, 4–year–old kindergarten and alcohol and other drug abuse programs.** (intro.) ~~From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the~~ The board ~~the amounts specified in the spending plan under s. 119.80~~ shall spend at least $430,000 for the following programs in each school year:

**SECTION 2120d.** 119.75 (2) (a) of the statutes is repealed.

**SECTION 2120h.** 119.75 (2) (b) of the statutes is renumbered 119.75 (2) and amended to read:

119.75 **(2)** ~~The~~ Annually, the board shall ~~use the funds received under par. (a)~~ spend at least $1,070,000 to pay the costs of teachers, aides and other support staff, transportation of staff to pupils' homes, in–service programs, parental involvement programs and instructional materials related to the programs under sub. (1). The board may not use the funds ~~to supplant or replace funding otherwise available for first grade programs or~~ to provide facilities to house the programs under sub. (1) or to pay pupil transportation or indirect administrative costs associated with the programs under sub. (1).

**SECTION 2120p.** 119.78 (1) of the statutes is renumbered 119.78.

**SECTION 2120t.** 119.78 (2) of the statutes is repealed.

**SECTION 2121m.** 119.80 (1) of the statutes is amended to read:

119.80 **(1)** The board shall submit to the governor a proposal for the expenditure of the funds in the appropriation under s. 20.255 (2) ~~(ec)~~ (kp) in each school year.

**SECTION 2122m.** 119.80 (1m) of the statutes is amended to read:

119.80 **(1m)** Annually by June 1, the governor shall submit to the joint committee on finance and to the appropriate standing committees of the legislature under s. 13.172 (3) a proposal for the expenditure of the funds in the appropriation under s. 20.255 (2) ~~(ec)~~ (kp) in the following school year. By June 15, each such standing committee may submit written recommendations on the proposal to the joint committee on finance.

**SECTION 2123.** 119.80 (4) of the statutes is created to read:

119.80 **(4)** The department may not distribute any funds in the appropriation under s. 20.255 (2) (kp) in any fiscal year until the spending plan for that fiscal year has been approved.

**SECTION 2124.** 119.82 (3) of the statutes is amended to read:

119.82 **(3)** From the appropriation under s. 20.255 (2) ~~(ec)~~ (kp), the state superintendent shall pay to the board the amount specified in the spending plan under s. 119.80 in each school year for the programs under sub. (1).

**SECTION 2125.** 120.13 (26r) of the statutes is amended to read:

120.13 **(26r)** CONTRACTS FOR ~~OUTPATIENT~~ MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES. Contract with the department of health and family services for ~~outpatient~~ services under s. ~~51.07 (4)~~ 46.043.

**SECTION 2126.** 120.13 (27m) of the statutes is amended to read:

120.13 **(27m)** TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to and from school for indigent pupils who reside in the school district and who are not

required to be transported under s. 121.54. In this subsection, "indigent pupils" means pupils who are eligible for free lunches or reduced–price lunches under 42 USC 1758 ~~or aid to 18–year–old students under s. 49.20 or for whom aid to families with dependent children is being received under s. 49.19~~ or who are members of a Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is participating in Wisconsin works under s. 49.147 (3) to (5) or any combination thereof, as determined by the school board. If a school board determines to provide transportation under this subsection, there shall be reasonable uniformity in the transportation furnished such pupils whether they attend public or private schools. The cost of transporting pupils under this subsection may not be included in the school district's shared cost under s. 121.07 (6) (a).

**SECTION 2127.** 121.004 (7) (a) (intro.) of the statutes is amended to read:

121.004 **(7)** (a) (intro.) "Pupils enrolled" is the total number of pupils, as expressed by official enrollments, in all schools of the school district, except as provided in pars. (b) to ~~(e)~~ (f). If such total contains a fraction, it shall be expressed as the nearest whole number. The same method shall be used in computing the number of pupils enrolled for resident pupils, nonresident pupils or both.

**SECTION 2128.** 121.004 (7) (f) of the statutes is created to read:

121.004 **(7)** (f) A pupil who transfers from one school district to another under s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as 0.5 pupil or, if appropriate, as a number equal to the result obtained by multiplying 0.5 by the appropriate fraction under under par. (c), (cm) or (d).

**SECTION 2129.** 121.02 (1) (r) of the statutes is amended to read:

121.02 **(1)** (r) ~~Annually~~ Except as provided in s. 118.40 (2r) (d) 2., annually administer a standardized reading test developed by the department to all pupils

enrolled in the school district in grade 3, including pupils enrolled in charter schools located in the school district.

**SECTION 2130.** 121.02 (1) (s) of the statutes is amended to read:

121.02 **(1)** (s) Administer the examinations as required under s. 118.30 ~~(1m) (a), (am) and (b) and, beginning in the 1999–2000 school year, administer the high school graduation examination required under s. 118.30 (1m) (d)~~.

**SECTION 2131.** 121.05 (1) (a) 4. of the statutes is repealed.

**SECTION 2132.** 121.05 (1) (a) 9. of the statutes is amended to read:

121.05 **(1)** (a) 9. Pupils enrolled in a charter school, other than a charter school under s. 118.40 (2r).

**SECTION 2134.** 121.05 (1) (a) 11. of the statutes is amended to read:

121.05 **(1)** (a) 11. Pupils residing in the school district but attending a public school in another school district under s. 118.51 or 121.85 (3) (a).

**SECTION 2135.** 121.07 (1) (a) of the statutes is amended to read:

121.07 **(1)** (a) The membership of the school district in the previous school year and the shared cost for the previous school year shall be used in computing general aid~~, except that the membership used to compute state aid to the school district operating under ch. 119 shall include those pupils who are attending a private school under s. 119.23 in the current school year and were enrolled in grades kindergarten to 3 in a private school located in the city of Milwaukee other than under s. 119.23 in the previous school year~~. If a school district has a state trust fund loan as a result of s. 24.61 (3) (c) 2., the school district's debt service costs shall be based upon current school year costs for the term of the loan and for one additional school year.

**SECTION 2135t.** 121.07 (6) (a) (intro.) of the statutes is amended to read:

121.07 **(6)** (a) "Shared cost" is the sum of the net cost of the general fund and the net cost of the debt service fund, except that "shared cost" excludes any costs, including attorney fees, incurred by a school district as a result of its participation in a lawsuit commenced against the state, beginning with such costs incurred in the fiscal year in which the lawsuit is commenced and excludes the costs of transporting those transfer pupils for whom the school district operating under ch. 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s. 121.85 (6) (am). In this paragraph, "net cost of the debt service fund" includes all of the following amounts:

**SECTION 2136.** 121.07 (7) (b) of the statutes is amended to read:

121.07 **(7)** (b) The "secondary guaranteed valuation per member" is an amount, rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09~~, 121.105,~~ and 121.85 (6) (b) 2. and 3. and (c) ~~and 121.86~~, fully distributes an amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac) plus $75,000,000 in the 1997–98 school year and $100,000,000 in the 1998–99 school year for payments under ss. 121.08 ~~and~~, 121.105, 121.85 (6) (a) and (g) and 121.86.

**SECTION 2136m.** 121.08 (4) of the statutes is created to read:

121.08 **(4)** (a) The amount of state aid that a school district is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall be reduced by the amount determined as follows:

1. Add the amounts paid under ss. 118.40 (2r) (e) and 119.23 (4) in the current school year.

2. Divide the sum under subd. 1. by the total amount of state aid that all school districts are eligible to be paid from the appropriation under s. 20.255 (2) (ac).

3. Multiply the amount of state aid that the school district is eligible to be paid from the appropriation under s. 20.255 (2) (ac) by the quotient under subd. 2.

(b) The state superintendent shall ensure that the total amount of aid reduction under par. (a) lapses to the general fund.

**SECTION 2137.** 121.105 (2) (a) 1. of the statutes is amended to read:

121.105 **(2)** (a) 1. If a school district would receive less ~~than 85% of the state aid for the current school year~~ in state aid in the current year than an amount equal to 85% of the state aid that it received ~~as state aid~~ in the previous school year, its state aid for the current school year shall be increased to an amount equal to 85% of the state aid received in the previous school year.

**SECTION 2137m.** 121.105 (2) (a) 2. of the statutes is amended to read:

121.105 **(2)** (a) 2. If a school district would receive less in state aid in the current school year than an amount equal to the aid that it received in the previous school year minus $1,000,000, its state aid for the current school year shall be increased to an amount equal to the state aid that it received in the previous school year minus $1,000,000. This subdivision does not apply after the 1998–99 school year.

**SECTION 2138.** 121.105 (2) (a) 3. of the statutes is amended to read:

121.105 **(2)** (a) 3. A school district eligible for aid under subd. 1. and 2. in the 1998–99 school year shall receive the greater of the aid amounts under subd. 1. or 2. The additional aid shall be paid from the appropriations under s. 20.255 (2) (ac) and (q).

**SECTION 2139m.** 121.15 (3m) (a) 1. of the statutes is renumbered 121.15 (3m) (a) 1m. (intro.) and amended to read:

121.15 **(3m)** (a) 1m. (intro.) "Partial school revenues" means the sum of state school aids, other than the amounts appropriated under s. 20.255 (2) (bi) and (cv),

~~and~~ property taxes levied for school districts and aid paid to school districts under s. 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school board's increasing the services that it provides by adding responsibility for providing a service transferred to it from another school board ~~and~~, less the amount of any revenue limit increase under s. 121.91 (4) (a) 3. and less the amount by which property taxes levied to pay debt service exceed an amount determined as follows:

**SECTION 2139n.** 121.15 (3m) (a) 1d. of the statutes is created to read:

121.15 **(3m)** (a) 1d. "Debt service" means the payment of any general obligation debt service, including debt service on debt issued or reissued to fund or refund outstanding municipal obligations, interest on outstanding municipal obligations or the payment of related issuance costs or redemption premiums, authorized by a referendum and secured by the full faith and credit of the school district.

**SECTION 2139p.** 121.15 (3m) (a) 1m. a., b. and c. of the statutes are created to read:

121.15 **(3m)** (a) 1m. a. In the 2000–01 school year, $420,000,000.

b. In the 2001–02 school year, $420,000,000 multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

c. In the 2002–03 school year and in any school year thereafter, the amount determined in the previous school year under this subd. 1m. c. or under subd. 1m. b. multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

**SECTION 2140.** 121.15 (3m) (a) 2. of the statutes is amended to read:

121.15 **(3m)** (a) 2. "State school aids" means those aids appropriated under s. 20.255 (2), other than s. 20.255 (2) (fm), (fu), (k) and (m), and under ss. 20.275 (1) (d),

(es), (et)~~,~~ and (f)~~, (fs) and (u)~~ and 20.285 (1) (ee), (r) and (rc) and those aids appropriated under s. 20.275 (1) (s) that are used to provide grants or educational telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

**SECTION 2141.** 121.15 (4) of the statutes is renumbered 121.15 (4) (b) and amended to read:

121.15 **(4)** (b) On July 1 and October 15, using the most accurate data available, the state superintendent shall provide the department of revenue and each school district with an estimate of the total amount of state aid~~, as defined in s. 121.90 (2),~~ the school district will receive in the current school year. On October 15, using the most accurate data available, the state superintendent shall calculate the total amount of state aid~~, as defined in s. 121.90 (2),~~ that each school district will receive in the current school year. Any adjustments to that calculation shall be made by increasing or decreasing the payment made in September of the following school year.

**SECTION 2142.** 121.15 (4) (a) of the statutes is created to read:

121.15 **(4)** (a) In this subsection, "state aid" has the meaning given in s. 121.90 (2) except that it excludes aid paid to school districts under s. 79.095 (4).

**SECTION 2142d.** 121.58 (5) of the statutes is amended to read:

121.58 **(5)** STATE SUPERINTENDENT APPROVAL. If the state superintendent is satisfied that transportation or board and lodging was provided in compliance with law, the state superintendent shall certify to the department of administration the sum due the school district. The state superintendent may not certify payment of state aid under sub. (2) for the number of pupils calculated under s. 121.85 (6) (am). In case of differences concerning the character and sufficiency of the transportation

or board and lodging, the state superintendent may determine such matter and his or her decision is final.

**SECTION 2142m.** 121.85 (6) (a) (intro.) of the statutes is amended to read:

121.85 **(6)** (a) *Intradistrict transfer.* (intro.) ~~The~~ Except as provided under pars. (am) and (ar), the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) shall be entitled to an amount determined as follows:

**SECTION 2143.** 121.85 (6) (a) 2. of the statutes is amended to read:

121.85 **(6)** (a) 2. Multiply the number of transfer pupils, as counted for membership purposes under s. 121.004 (7), by 0.25.

**SECTION 2143m.** 121.85 (6) (am) of the statutes is created to read:

121.85 **(6)** (am) *Reduction of intradistrict transfer aid.* The school district operating under ch. 119 may not receive aid under par. (a) for the number of pupils calculated as follows, if the calculation results in a positive number:

1. In the 2000–01 school year:

a. Subtract from 75% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 1. a. by the total number of transfer pupils under par. (a) in the current school year.

2. In the 2001–02 school year:

a. Subtract from 80% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 2. a. by the total number of transfer pupils under par. (a) in the current school year.

3. In the 2002–03 school year:

a. Subtract from 90% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 3. a. by the total number of transfer pupils under par. (a) in the current school year.

4. In the 2003–04 school year:

a. Subtract from 95% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 4. a. by the total number of transfer pupils under par. (a) in the current school year.

5. In the 2004–05 school year and each school year thereafter, the number of pupils whose parents or guardians have not provided the board of school directors with written consent to a pupil transfer to another attendance area.

**SECTION 2143p.** 121.85 (6) (ar) of the statutes is created to read:

121.85 **(6)** (ar) *Hold harmless.* 1. In the 1999–2000 school year, the department shall pay to the school district operating under ch. 119 the greater of the following:

a. The amount of aid received in the 1998–99 school year under par. (a) multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

b. The amount of aid to which the school district is entitled under par. (a).

2. Except as provided in subd. 3., in the 2000–01 school year and in each school year thereafter, the department shall pay to the school district operating under ch. 119 the greater of the following:

a. The amount of aid received in the 1998–99 school year under par. (a), adjusted annually for the school years since 1998–99 by the allowable rate of increase under s. 73.0305 as described under subd. 1. a., less the reduction under par. (am).

b. The amount of aid to which the school district is entitled under par. (a), less the reduction under par. (am).

3. a. If one or more bonds are issued under s. 66.431 (5) (a) 4., subd. 2. does not apply beginning in the first fiscal year following certification by the secretary of administration to the department that the last principal and interest payment on the bonds has been made.

b. If no bonds are issued under s. 66.431 (5) (a) 4. by the date specified in that section, subd. 2. does not apply beginning in the first fiscal year following that date.

**SECTION 2144.** 121.85 (6) (b) 1. of the statutes is repealed.

**SECTION 2145.** 121.85 (6) (f) of the statutes is repealed.

**SECTION 2146g.** 121.85 (6m) of the statutes is created to read:

121.85 **(6m)** USE OF AID FOR DEBT SERVICE. The board of directors of the school district operating under ch. 119 may use intradistrict transfer aid under sub. (6) to pay debt service on bonds issued under s. 66.431 (5m). If the board of school directors decides to use the aid to pay the debt service, it may request the department to remit the intradistrict transfer aid under sub. (6) to the redevelopment authority of the city of Milwaukee in an annual amount agreed to by the board of school directors and the department, and the department shall ensure that the aid remittance does not affect

the amount determined to be received by the board of school directors as state aid under s. 121.08 for any other purpose.

**SECTION 2146r.** 121.85 (7) of the statutes is amended to read:

121.85 **(7)** TRANSPORTATION. Transportation shall be provided to pupils transferring schools under this section if required under subch. IV. Transportation for a pupil attending a public school under sub. (3) (a) outside the pupil's school district of residence shall be provided pursuant to agreement between the school district of residence and the school district of attendance. If either the school district of residence or the school district of attendance operates a program of intradistrict transfers under sub. (3) (b), that school district shall be responsible for the cost of transportation. The school district may meet this responsibility either by contracting directly for provision of transportation or by reimbursing another school district for the cost of such a contract. Transportation for a pupil attending a public school under sub. (3) (b) outside his or her attendance area of residence may be provided by his or her school district. A school district providing transportation under this subsection may not claim transportation aid under subch. IV for pupils so transported. <u>A school district that transports a pupil who moves outside his or her attendance district during the school year to the school in the pupil's former attendance district may use intradistrict transfer aid under sub. (6) to pay the costs of transporting the pupil.</u>

**SECTION 2146w.** 121.87 (3) of the statutes is created to read:

121.87 **(3)** In addition to the report under sub. (1), annually by May 1 the board of school directors of the school district operating under ch. 119 shall submit a report to the legislature under s. 13.172 (2) that specifies the number, percentage, race, sex,

grade and attendance area of pupils transferred outside their attendance area without written consent under s. 121.85 (6) (am).

**SECTION 2147.** 121.90 (1) (e) of the statutes is created to read:

121.90 **(1)** (e) In determining a school district's revenue limit for the 2000–01 school year or for any school year thereafter, the department shall calculate the number of pupils enrolled in each school year prior to the 2000–01 school year as the number was calculated in that school year under s. 121.85 (6) (b) 1. and (f), 1997 stats.

**SECTION 2148.** 121.90 (2) (intro.) of the statutes is amended to read:

121.90 **(2)** (intro.) "State aid" means aid under ss. 121.08, 121.09 and 121.105 and subch. VI, as calculated for the current school year on October 15 under s. 121.15 (4) <u>and including adjustments made under s. 121.15 (4)</u>, except that "state aid" excludes all of the following:

**SECTION 2148m.** 121.905 (1) of the statutes is amended to read:

121.905 **(1)** In this section, "revenue ceiling" means ~~$5,900~~ <u>$6,300</u> in the ~~1997–98~~ <u>1999–2000</u> school year and in any subsequent school year means ~~$6,100~~ <u>$6,500</u>.

**SECTION 2149.** 121.905 (3) (a) 1. of the statutes is amended to read:

121.905 **(3)** (a) 1. Except as provided under subd. 2., calculate the sum of the amount of <u>state</u> aid received ~~under ss. 121.08 and 121.105 and subch. VI~~ in the previous school year and property taxes levied for the previous school year, excluding funds described under s. 121.91 (4) (c), and the costs of the county children with disabilities education board program, as defined in s. 121.135 (2) (a) 2., for pupils who were school district residents and solely enrolled in a special education program provided by a county children with disabilities education board in the previous school year.

**SECTION 2151.** 121.905 (4) of the statutes is renumbered 121.905 (4) (a) and amended to read:

121.905 **(4)** (a) A school district that is exempt from the revenue limits under sub. (2) may not increase its base revenue per member to an amount that is greater than its revenue ceiling ~~unless that~~.

(b) 1. A school district ~~follows~~ may increase its revenue ceiling by following the procedures prescribed in s. 121.91 (3).

**SECTION 2152.** 121.905 (4) (b) 2. of the statutes is created to read:

121.905 **(4)** (b) 2. The department shall, under s. 121.91 (4), adjust the revenue ceiling otherwise applicable to a school district under this section as if the revenue ceiling constituted a revenue limit under s. 121.91 (2m).

**SECTION 2153.** 121.91 (2m) (d) (intro.) of the statutes is amended to read:

121.91 **(2m)** (d) (intro.) Except as provided in subs. (3) and (4), no school district may increase its revenues for the 1998–99 school year ~~or for any school year thereafter~~ to an amount that exceeds the amount calculated as follows:

**SECTION 2154.** 121.91 (2m) (e) of the statutes is renumbered 121.91 (2m) (r), and 121.91 (2m) (r) 1. (intro.) and b. and 2., as renumbered, are amended to read:

121.91 **(2m)** (r) 1. (intro.) Notwithstanding pars. (c) ~~and~~, (d) and (e), if a school district is created under s. 117.105, its revenue limit under this section for the school year beginning with the effective date of the reorganization shall be determined as follows except as provided under subs. (3) and (4):

b. Add ~~$206~~ an amount equal to the amount of revenue increase per pupil allowed under this subsection for the previous school year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the result under subd. 1. a.

2. If a school district is created under s. 117.105, the following adjustments to the calculations under pars. (c) ~~and~~, (d) and (e) apply for the 2 school years beginning on the July 1 following the effective date of the reorganization:

a. For the school year beginning on the first July 1 following the effective date of the reorganization the number of pupils in the previous school year shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1. instead of the average of the number of pupils in the 3 previous school years, and for the school year beginning on the 2nd July 1 following the effective date of the reorganization the average of the number of pupils in the 2 previous school years shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1. instead of the average of the number of pupils in the 3 previous school years.

b. For the school year beginning on the first July 1 following the effective date of the reorganization the average of the number of pupils in the current and the previous school years shall be used under pars. (c) 4. ~~and~~, (d) 4. and (e) 3. instead of the average of the number of pupils in the current and the 2 preceding school years.

**SECTION 2155.** 121.91 (2m) (e) of the statutes is created to read:

121.91 **(2m)** (e) Except as provided in subs. (3) and (4), no school district may increase its revenues for the 1999–2000 school year or for any school year thereafter to an amount that exceeds the amount calculated as follows:

1. Divide the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding funds described under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous school years.

2. Multiply the amount of the revenue increase per pupil allowed under this subsection for the previous school year by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

3. Add the result under subd. 1. to the result under subd. 2.

4. Multiply the result under subd. 3. by the average of the number of pupils enrolled in the current and the 2 preceding school years.

**SECTION 2157.** 121.91 (3) (d) of the statutes is renumbered 121.91 (7) and amended to read:

121.91 **(7)** ~~If~~ Except as provided in sub. (4) (f) 2., if an excess revenue is approved under ~~this subsection~~ sub. (3) for a recurring purpose or allowed under sub. (4), the excess revenue shall be included in the base for determining the limit for the next school year for purposes of this section. If an excess revenue is approved under ~~this subsection~~ sub. (3) for a nonrecurring purpose, the excess revenue shall not be included in the base for determining the limit for the next school year for purposes of this section.

**SECTION 2158.** 121.91 (4) (f) of the statutes is amended to read:

121.91 **(4)** (f) 1. For the ~~1998–99~~ 1999–2000 school year or any school year thereafter, if the average of the number of pupils enrolled in the current and the 2 preceding school years~~, as calculated under sub. (2m) (d) 4.,~~ is less than the average of the number of pupils enrolled in the 3 previous school years, ~~as calculated under sub. (2m) (d) 1.,~~ the limit otherwise applicable under sub. (2m) ~~(d)~~ (e) is increased by the additional amount that would have been calculated had the decline in average enrollment been 25% of what it was.

2. Any additional revenue received by a school district as a result of subd. 1. shall not be included in the base for determining the school district's limit under sub. (2m) ~~(d)~~ (e) for the following school year.

**SECTION 2158g.** 121.91 (4) (fm) of the statutes is created to read:

121.91 **(4)** (fm) 1. Beginning in the 1999–2000 school year, if the average of the number of pupils enrolled in the current and the 2 preceding school years is more than the average of the number of pupils enrolled in the 3 previous school years, the limit otherwise applicable under sub. (2m) (e) is decreased by the difference between that limit and the amount that would have been calculated had the increase in average enrollment been 75% of what it was.

2. Any decrease in revenue received by a school district as a result of subd. 1. shall not be excluded from the base for determining the school district's limit under sub. (2m) (e) in the following school year.

**SECTION 2159.** 121.92 (title) of the statutes is amended to read:

**121.92** (title) **Penalty for exceeding revenue <u>ceiling or</u> limit.**

**SECTION 2160.** 121.92 (1) of the statutes is amended to read:

121.92 **(1)** In this section, "excess revenue" means the amount by which a school district's revenue exceeds ~~the maximum allowed~~ <u>its ceiling under s. 121.905 or its limit</u> under s. 121.91.

**SECTION 2161.** 121.92 (2) (a) of the statutes is amended to read:

121.92 **(2)** (a) Deduct from the state aid payment to a school district under s. 121.08 in the school year in which the school district exceeded the revenue <u>ceiling or</u> limit an amount equal to the excess revenue for the school district or the amount of those aids, whichever is less.

**SECTION 2162.** 121.92 (2) (b) of the statutes is amended to read:

121.92 **(2)** (b) If the amount of the deduction under par. (a) is insufficient to cover the excess revenue, deduct from the other state aid payments to the school district in the school year in which the school district exceeded the revenue <u>ceiling</u>

or limit an amount equal to the remaining excess revenue or the amount of those payments, whichever is less.

**SECTION 2163.** 121.92 (2) (e) of the statutes is amended to read:

121.92 **(2)** (e) Ensure that the amount of the excess revenue is not included in determining the school district's ~~limits~~ ceiling or limit in the succeeding school year.

**SECTION 2165e.** 125.26 (2s) of the statutes is created to read:

125.26 **(2s)** (a) In this subsection:

1. "Coliseum" means a multipurpose facility designed principally for sports events, with a capacity of 18,000 or more persons.

2. "Concessionaire" means a person designated by the owner or operator of a coliseum to operate premises in the coliseum and to provide fermented malt beverages to holders of coliseum suites.

(b) Notwithstanding s. 125.04 (3) (a) 3. and (9), a Class "B" license authorizes a person operating a coliseum or a concessionaire to furnish the holder of a coliseum suite who has attained the legal drinking age with a selection of fermented malt beverages in the coliseum suite that is not part of the Class "B" premises. Fermented malt beverages furnished under this paragraph shall be furnished in original packages or containers and stored in a cabinet, refrigerator or other secure storage place. The cabinet, refrigerator or other secure storage place or the coliseum suite must be capable of being locked. The cabinet, refrigerator or other secure storage place or the coliseum suite shall be locked, or the fermented malt beverages shall be removed from the coliseum suite, when the coliseum suite is not occupied and when fermented malt beverages are not being furnished under this paragraph. Fermented malt beverages may be furnished at the time the holder occupies the coliseum suite, but for purposes of this chapter, the sale of fermented malt beverages furnished

under this paragraph is considered to occur at the time and place that the holder pays for the fermented malt beverages. Notwithstanding s. 125.32 (3), the holder of a coliseum suite may pay for the fermented malt beverages at any time if he or she pays in accordance with the terms of an agreement with the person operating the coliseum or with the concessionaire. An individual who stocks or accepts payment for alcohol beverages under this paragraph shall be the licensee, the agent named in the license if the licensee is a corporation or limited liability company or the holder of a manager's or operator's license or be supervised by one of those individuals.

**SECTION 2165j.** 125.51 (3) (bs) of the statutes is created to read:

125.51 **(3)** (bs) 1. In this paragraph:

a. "Coliseum" means a multipurpose facility designed principally for sports events, with a capacity of 18,000 or more persons.

b. "Concessionaire" means a person designated by the owner or operator of a coliseum to operate premises in the coliseum and to provide intoxicating liquor to holders of coliseum suites.

2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and (9), a "Class B" license authorizes a person operating a coliseum to furnish the holder of a coliseum suite who has attained the legal drinking age with a selection of intoxicating liquor in the coliseum suite that is not part of the "Class B" premises. Intoxicating liquor furnished under this subdivision shall be furnished in original packages or containers and stored in a cabinet, refrigerator or other secure storage place. The cabinet, refrigerator or other secure storage place or the coliseum suite must be capable of being locked. The cabinet, refrigerator or other secure storage place or the coliseum suit shall be locked, or the intoxicating liquor shall be removed from the coliseum suit, when the coliseum suit is not occupied and when intoxicating liquor

is not being furnished under this subdivision. Intoxicating liquor may be furnished at the time the holder of the coliseum suite occupies the coliseum suite, but for purposes of this chapter, the sale of intoxicating liquor furnished under this subdivision is considered to occur at the time and place that the holder pays for the intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the holder of a coliseum suite may pay for the intoxicating liquor at any time if he or she pays in accordance with an agreement with the person operating the coliseum or with the concessionaire. An individual who stocks or accepts payment for alcohol beverages under this subdivision shall be the licensee, the agent named in the license if the licensee is a corporation or limited liability company or the holder of a manager's or operator's license or be supervised by one of those individuals.

**SECTION 2169g.** 138.056 (1) (b) of the statutes is amended to read:

138.056 **(1)** (b) "Dwelling" includes a cooperative housing unit and a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

**SECTION 2169m.** 138.056 (1) (c) of the statutes is amended to read:

138.056 **(1)** (c) "Mobile home transaction" means a consumer credit sale, as defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301 (12), secured by a first lien or equivalent security interest in a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

**SECTION 2169r.** 138.09 (7) (jm) 1. b. of the statutes is amended to read:

138.09 **(7)** (jm) 1. b. The loan administration fee is charged for a consumer loan that is secured primarily by an interest in real property or in a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

**SECTION 2171.** 139.30 (5) of the statutes is amended to read:

139.30 **(5)** "Indian tribe" means a federally recognized American Indian tribe or band in this state.

**SECTION 2171g.** 139.30 (8) of the statutes is repealed.

**SECTION 2171m.** 139.30 (13m) of the statutes is created to read:

139.30 **(13m)** "Trust lands" means any lands in this state held in trust by the U. S. government for the benefit of a tribe or a member of a tribe.

**SECTION 2172.** 139.323 (intro.) of the statutes is amended to read:

**139.323 Refunds to Indian tribes.** (intro.) The department ~~shall~~ may refund ~~70%~~ a portion of the taxes collected under s. 139.31 (1) in respect to sales on reservations or trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over the reservation or trust land on which the sale is made only if all of the following conditions are fulfilled:

**SECTION 2172g.** 139.323 (6) of the statutes is created to read:

139.323 **(6)** The department has entered into an agreement with the Indian tribe under s. 139.325.

**SECTION 2172m.** 139.325 of the statutes is amended to read:

**139.325 Agreements with Indian tribes.** The department may enter into agreements with Indian tribes to provide for the refunding of the cigarette tax imposed under s. 139.31 (1). If the department enters into an agreement with an Indian tribe, the agreement may provide for refunding 100% of that tax on cigarettes sold on ~~reservations~~ the tribal reservation to enrolled members of the tribe residing on the tribal reservation and may provide for refunding not more than 70% of that tax on cigarettes sold on the tribal reservation to persons who are not enrolled members of the tribe residing on the tribal reservation.

**SECTION 2172n.** 139.34 (1) (a) of the statutes is amended to read:

139.34 **(1)** (a) No person may manufacture cigarettes in this state or sell cigarettes in this state as a distributor, jobber~~,~~ or vending machine operator ~~or multiple retailer~~ and no person may operate a warehouse in this state for the storage of cigarettes for another person without first filing an application for and obtaining the proper permit to perform such operations from the department.

**SECTION 2172o.** 139.34 (6) of the statutes is amended to read:

139.34 **(6)** A vending machine operator ~~or a multiple retailer~~ may acquire unstamped cigarettes from the manufacturers thereof and affix the stamps to packages or other containers only if the vending machine operator ~~or multiple retailer~~ also holds a permit as a distributor.

**SECTION 2172p.** 139.38 (1) of the statutes is amended to read:

139.38 **(1)** Every manufacturer located out of the state shall keep records of all sales of cigarettes shipped into this state. Every manufacturer located in the state shall keep records of production, sales and withdrawals of cigarettes. Every distributor shall keep records of purchases and sales of cigarettes. Every manufacturer and distributor holding a permit from the secretary with the right to purchase and apply stamps shall also keep records of purchases and disposition of stamps. Every jobber~~, multiple retailer~~ and vending machine operator shall keep records of all purchases and disposition of cigarettes. Every warehouse operator shall keep records of receipts and withdrawals of cigarettes. All such records shall be accurate and complete and be kept in a manner prescribed by the secretary. These records shall be preserved on the premises described in the permit or license in such a manner as to ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the department.

**SECTION 2172r.** 139.38 (2) (b) of the statutes is amended to read:

139.38 **(2)** (b) The department may allow any jobber~~, multiple retailer~~ or vending machine operator permittee who does not sell cigarettes, except for those on which the tax under this chapter is paid, to file a quarterly report. The quarterly report shall be filed on or before the 15th day of the next month following the close of each calendar quarter. The report shall specify the number of cigarettes purchased and sold during the preceding calendar quarter.

**SECTION 2173.** 139.75 (4d) of the statutes is created to read:

139.75 **(4d)** "Enrolled member" has the meaning given in s. 139.30 (4).

**SECTION 2174.** 139.75 (4p) of the statutes is created to read:

139.75 **(4p)** "Indian tribe" has the meaning given in s. 139.30 (5).

**SECTION 2175.** 139.75 (6m) of the statutes is created to read:

139.75 **(6m)** "Reservation" has the meaning given in s. 139.30 (9).

**SECTION 2175m.** 139.75 (12m) of the statutes is created to read:

139.75 **(12m)** "Trust lands" has the meaning given in s. 139.30 (13m).

**SECTION 2176.** 139.76 (1) of the statutes is amended to read:

139.76 **(1)** An ~~occupational~~ <u>excise</u> tax is imposed upon the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale or other disposition for any purpose of tobacco products by any person engaged as a distributor of them at the rate of 20% of the manufacturer's established list price to distributors without diminution by volume or other discounts on domestic products. On products imported from another country the rate of tax is 20% of the amount obtained by adding the manufacturer's list price to the federal tax, duties and transportation costs to the United States. The tax attaches at the time the tobacco products are received by the distributor in this state. <u>The tax shall be passed on to the ultimate consumer of the tobacco products. All tobacco products received in this</u>

state for sale or distribution within this state, except tobacco products actually sold as provided in sub. (2), shall be subject to such tax.

**SECTION 2177.** 139.76 (2) of the statutes is amended to read:

139.76 **(2)** Tobacco products sold to or by post exchanges of the U.S. armed forces, to or by federally or state–operated veterans hospitals in this state, and tobacco products sold to an interstate carrier of passengers for hire to be resold to bona fide passengers actually being transported and tobacco products sold for shipment outside this state in interstate commerce are not subject to the tax. ~~The tax imposed by sub. (1) and s. 139.78 shall not apply with respect to any tobacco products which under the constitution and laws of the United States may not be taxed by this state.~~

**SECTION 2178.** 139.803 of the statutes is created to read:

**139.803 Refunds to Indian tribes.** The department may refund a portion of the taxes collected under s. 139.76 (1) in respect to sales on reservations or trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over the reservation or trust land on which the sale is made only if all of the following conditions are fulfilled:

**(1)** The tribal council has filed a claim for the refund with the department.

**(2)** The tribal council has approved the retailer.

**(3)** The land on which the sale occurred was designated a reservation or trust land on or before January 1, 1983.

**(4)** The tobacco products were not delivered by the retailer to the buyer by means of a common carrier, a contract carrier or the U.S. postal service.

**(5)** The retailer has not sold the tobacco products to another retailer or to a subjobber.

**(6)** The department has entered into an agreement with the Indian tribe under s. 139.805.

**SECTION 2179.** 139.805 of the statutes is created to read:

**139.805 Agreements with Indian tribes.** The department may enter into agreements with Indian tribes to provide for the refunding of the tobacco products tax imposed under s. 139.76 (1). If the department enters into an agreement with an Indian tribe, the agreement may provide for refunding 100% of that tax on tobacco products sold on the tribal reservation to enrolled members of the tribe residing on the tribal reservation and may provide for refunding not more than 70% of that tax on tobacco products sold on the tribal reservation to persons who are not enrolled members of the tribe residing on the tribal reservation.

**SECTION 2180.** 139.82 (7) of the statutes is created to read:

139.82 **(7)** The department may inspect the business records of any retailer doing business on a reservation or on an Indian tribe's trust land.

**SECTION 2181.** 139.82 (8) of the statutes is created to read:

139.82 **(8)** Each distributor shall collect and remit the excise tax imposed by s. 139.76 (1) on tobacco products not exempt from the tobacco products tax under s. 139.76 (2), with the reports required to be filed under this section.

**SECTION 2182.** 139.85 (1) of the statutes is amended to read:

139.85 **(1)** The interest and penalties under s. 139.44 (2) to (7) and (9) to (12) apply to this subchapter. <u>In addition, a person who violates s. 139.82 (8) shall be fined not less than $1,000 nor more than $5,000 or imprisoned for not less than 90 days nor more than one year or both.</u>

**SECTION 2216m.** 145.245 (4) (a) of the statutes is amended to read:

145.245 **(4)** (a) The discharge of sewage into a surface water determined to be outstanding resource water by the department of natural resources by rule or into groundwater.

**SECTION 2217m.** 145.245 (4) (c) of the statutes is amended to read:

145.245 **(4)** (c) The discharge of sewage to a drain tile or into zones of bedrock or a surface water other than a surface water described in par. (a).

**SECTION 2219m.** 145.245 (4m) (a) to (c) of the statutes are amended to read:

145.245 **(4m)** (a) Category 1: failing private sewage systems described in sub. (4) (a) ~~to (c)~~.

(b) Category 2: failing private sewage systems described in sub. (4) ~~(d)~~ (b) and (c).

(c) Category 3: failing private sewage systems described in sub. (4) ~~(e)~~ (d).

**SECTION 2219p.** 145.245 (4m) (d) of the statutes is created to read:

145.245 **(4m)** (d) Category 4: failing private sewage systems described in sub. (4) (e).

**SECTION 2220.** 145.245 (5) (a) 1. of the statutes is amended to read:

145.245 **(5)** (a) 1. A person is eligible for grant funds under this section if he or she owns a principal residence which is served by a category 1 or 2 failing private sewage system, if the ~~residence was constructed prior to and inhabited on~~ private sewage system was installed before July 1, 1978, if the family income of the person does not exceed the income limitations under par. (c), if the amount of the grant determined under sub. (7) is at least $100, if the residence is not located in an area served by a sewer and if determination of failure is made prior to the rehabilitation or replacement of the failing private sewage system.

**SECTION 2221m.** 145.245 (5) (a) 1. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

145.245 **(5)** (a) 1. A person is eligible for grant funds under this section if he or she owns a principal residence which is served by a category 1 ~~or~~, 2 <u>or 3</u> failing private sewage system, if the sewage system was installed before July 1, 1978, if the family income of the person does not exceed the income limitations under par. (c), if the amount of the grant determined under sub. (7) is at least $100, if the residence is not located in an area served by a sewer and if determination of failure is made prior to the rehabilitation or replacement of the failing private sewage system.

**SECTION 2222.** 145.245 (5) (a) 2. of the statutes is amended to read:

145.245 **(5)** (a) 2. A business is eligible for grant funds under this section if it owns a small commercial establishment which is served by a category 1 or 2 failing private sewage system, if the ~~small commercial establishment was constructed prior to~~ <u>private sewage system was installed before</u> July 1, 1978, if the gross revenue of the business does not exceed the limitation under par. (d), if the small commercial establishment is not located in an area served by a sewer and if a determination of failure is made prior to the rehabilitation or replacement of the private sewage system.

**SECTION 2223m.** 145.245 (5) (a) 2. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

145.245 **(5)** (a) 2. A business is eligible for grant funds under this section if it owns a small commercial establishment which is served by a category 1 ~~or~~, 2 <u>or 3</u> failing private sewage system, if the private sewage system was installed before July 1, 1978, if the gross revenue of the business does not exceed the limitation under par. (d), if the small commercial establishment is not located in an area served by a sewer

and if a determination of failure is made prior to the rehabilitation or replacement of the private sewage system.

**SECTION 2224m.** 145.245 (5) (a) 3. of the statutes is amended to read:

145.245 **(5)** (a) 3. A person who owns a principal residence or small commercial establishment which is served by a category 1 ~~or,~~ 2 <u>or 3</u> failing private sewage system may submit an application for grant funds during the 3–year period after the determination of failure is made. Grant funds may be awarded after work is completed if rehabilitation or replacement of the system meets all requirements of this section and rules promulgated under this section.

**SECTION 2225.** 145.245 (5) (c) 2. of the statutes is amended to read:

145.245 **(5)** (c) 2. Except as provided under subd. 4., annual family income shall be based upon the <u>federal</u> adjusted gross income of the owner and the owner's spouse, if any, as computed ~~for Wisconsin income tax purposes~~ for the taxable year prior to the year in which the determination of failure is made. ~~The county median income shall be determined based upon the most recent statistics published by the federal department of housing and urban development for the year prior to the year in which the determination of failure is made.~~

**SECTION 2226.** 145.245 (5) (c) 3. of the statutes is amended to read:

145.245 **(5)** (c) 3. In order to be eligible for grant funds under this section, a person shall submit a copy of the ~~designated~~ <u>federal</u> income tax returns ~~for the taxable year prior to the year in which the determination of failure is~~ <u>upon which the determination of federal adjusted gross income under subd. 2. was</u> made together with any application required by the governmental unit. ~~For taxable year 1985 and earlier, the person shall submit a copy of his or her individual or combined Wisconsin income tax return. For taxable year 1986 and thereafter, the person shall submit a~~

~~copy of his or her joint Wisconsin income tax return or, if filing separately, his or her separate Wisconsin income tax return and the separate Wisconsin income tax return of his or her spouse, if any.~~

**SECTION 2227.** 145.245 (5) (c) 4. of the statutes is amended to read:

145.245 **(5)** (c) 4. A governmental unit may disregard the ~~Wisconsin~~ federal income tax return ~~for the taxable year prior to the year in which the determination of failure is made~~ that is submitted under subd. 3. and may determine annual family income based upon satisfactory evidence of federal adjusted gross income or projected ~~taxable~~ federal adjusted gross income of the owner and the owner's spouse in the current year. The department shall promulgate rules establishing criteria for determining what constitutes satisfactory evidence of federal adjusted gross income or projected federal adjusted gross income in a current year.

**SECTION 2228m.** 145.245 (5m) (a) of the statutes is amended to read:

145.245 **(5m)** (a) The department or a governmental unit shall deny a grant application under this section if the applicant or a person who would be directly benefited by the grant intentionally caused the conditions which resulted in a category 1 ~~or,~~ 2 or 3 failing private sewage system. The department or governmental unit shall notify the applicant in writing of a denial, including the reason for the denial.

**SECTION 2229.** 145.245 (5m) (b) of the statutes is amended to read:

145.245 **(5m)** (b) The department shall notify a governmental unit if ~~it receives a certification under s. 49.855 (7) that an individual is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ an individual's name appears on the statewide support lien docket under s. 49.854 (2) (b). The department or a governmental unit shall deny an application under this

section if the ~~department receives a certification under s. 49.855 (7) that~~ name of the applicant or an individual who would be directly benefited by the grant ~~is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ appears on the statewide support lien docket under s. 49.854 (2) (b), unless the applicant or individual who would be benefited by the grant provides to the department or governmental unit a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2231m.** 145.245 (7) (d) of the statutes is amended to read:

145.245 **(7)** (d) Except as provided in par. (e), if the income of a person who owns a principal residence that is served by a category 1 ~~or~~, 2 or 3 failing private sewage system is greater than $32,000, the amount of the grant under this section is limited to the amount determined under par. (c) less 30% of the amount by which the person's income exceeds $32,000.

**SECTION 2236r.** 145.245 (11m) (am) of the statutes is created to read:

145.245 **(11m)** (am) Except as provided in par. (d), if funds are sufficient to fully fund all category 1 and 2 failing private sewage systems but not all category 3 failing private sewage systems, the department shall fully fund all category 1 and 2 systems and prorate the funds for category 3 systems on a proportional basis.

**SECTION 2237g.** 145.245 (11m) (b) of the statutes is amended to read:

145.245 **(11m)** (b) Except as provided in par. (d), if funds are sufficient to fully fund all category 1 but not all category 2 failing private sewage systems, the department shall fully fund all category 1 systems ~~and~~, prorate the funds for category 2 systems on a proportional basis and deny the grant applications for all category 3 systems.

**SECTION 2237i.** 145.245 (11m) (c) of the statutes is amended to read:

145.245 **(11m)** (c) Except as provided in par. (d), if funds are not sufficient to fully fund all category 1 failing private sewage systems, the department shall fund the category 1 systems on a proportional basis and deny the grant applications for all category 2 <u>and 3</u> systems.

**SECTION 2238.** 145.245 (12m) of the statutes is created to read:

145.245 **(12m)** LOANS TO GOVERNMENTAL UNITS. (a) A governmental unit to which the department allocates funds under sub. (11) for a fiscal year may apply to the department for a loan under this subsection if the department prorates funds under sub. (11m) for that fiscal year. A governmental unit may only use a loan under this subsection to increase the amounts of grants to persons eligible under sub. (5) above the amounts that would be provided without a loan under this subsection or to provide grants to persons eligible under sub. (5) who would otherwise not receive grants, because of the operation of sub. (11m) (c), but the total amount provided to a person under this section may not exceed the amount authorized under sub (7).

(b) A loan under this subsection bears no interest. A loan under this subsection may not exceed the difference between the amount of the grant that the governmental unit would have received if the department had not prorated grants under sub. (11) and the amount of the grant that the governmental unit did receive. If the amount available for loans under s. 20.320 (3) (q) in a fiscal year is not sufficient to provide loans to all eligible governmental units applying for loans, the department shall allocate the available funds in the same manner as in sub. (11) (c).

(c) A loan approved under this subsection shall be for no longer than 20 years, as determined by the department of administration, and be fully amortized not later than 20 years after the original date of the note.

(d) As a condition of receiving a loan under this subsection an applicant shall do all of the following:

1. Pledge the security, if any, required by the department of administration under this subsection.

2. Demonstrate to the satisfaction of the department of administration the financial capacity to assure sufficient revenues to repay the loan.

(e) The department of commerce and the department of administration may enter into a financial assistance agreement with a governmental unit that applies for a loan under this subsection and meets the eligibility requirements for a loan, including the requirements under par. (d).

(f) The department of administration, in consultation with the department of commerce, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation is required for the repayment of the financial assistance. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

(g) The department of administration shall make and disburse a loan to an applicant that has entered into a financial assistance agreement under par. (e). The department of administration, in consultation with the department of commerce, shall establish procedures for disbursing loans.

(h) If a governmental unit fails to make a principal repayment after its due date, the department of administration shall place on file a certified statement of all amounts due under this subsection. After consulting the department of commerce,

the department of administration may collect all amounts due by deducting those amounts from any state payments due the governmental unit or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the fund to which they are due and notify the department of commerce of that action.

**SECTION 2240r.** 146.185 of the statutes is created to read:

**146.185 Minority health. (1)** In this section:

(a) "African American" means a person whose ancestors originated in any of the black racial groups of Africa.

(b) "American Indian" means a person who is enrolled as a member of a federally recognized American Indian tribe or band or who possesses documentation of at least one–fourth American Indian ancestry or documentation of tribal recognition as an American Indian.

(c) "Asian" means a person whose ancestors originated in Asia south and southeast of the Himalayas and west of Wallace's Line in the Malay Archipelago.

(d) "Economically disadvantaged" means having an income that is at or below 125% of the poverty line.

(e) "Hispanic" means a person of any race whose ancestors originated in Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or origin is Spanish.

(f) "Minority group member" means any of the following:

1. An African American.

2. An American Indian.

3. A Hispanic.

4. An Asian.

(g) "Nonprofit corporation" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

(h) "Poverty line" means the nonfarm federal poverty line for the continental United States, as defined by the federal department of labor under 42 USC 9902 (2).

(i) "State agency" has the meaning given in s. 16.70 (1).

**(2)** The department shall do all of the following:

(a) Identify the barriers to health care that prevent economically disadvantaged minority group members in this state from participating fully and equally in all aspects of life.

(b) Conduct statewide hearings on issues of concern to the health interests of economically disadvantaged minority group members.

(c) Review, monitor and advise all state agencies with respect to the impact on the health of economically disadvantaged minority group members of current and emerging state policies, procedures, practices, statutes and rules.

(d) Work closely with all state agencies, including the board of regents of the University of Wisconsin System and the technical college system board, with the University of Wisconsin Hospitals and Clinics Authority, with the private sector and with groups concerned with issues of the health of economically disadvantaged minority group members to develop long–term solutions to health problems of minority group members.

(e) Disseminate information on the status of the health of economically disadvantaged minority group members in this state.

(f) Encourage economically disadvantaged minority group members who are students to enter career health care professions, by developing materials that are

culturally sensitive and appropriate and that promote health care professions as careers, for use by the University of Wisconsin System, the technical college system and the Medical College of Wisconsin in recruiting the students.

(g) Submit a biennial report on the activities of the department under this section that includes recommendations on program policies, procedures, practices and services affecting the health status of economically disadvantaged minority group members, to the appropriate standing committees under s. 13.172 (3) and to the governor.

**(3)** From the appropriation under s. 20.435 (5) (fh), the department shall award grants for activities to improve the health status of economically disadvantaged minority group members. A person may apply, in the manner specified by the department, for a grant of up to $50,000 in each fiscal year to conduct these activities. A grant awarded under this subsection may not exceed 50% of the cost of the activities. An applicant's required contribution for a grant may consist of funding or an in–kind contribution.

**(4)** From the appropriation under s. 20.435 (5) (fh), the department shall award a grant of up to $100,000 in each fiscal year to a private nonprofit corporation that applies, in the manner specified by the department, to conduct a public information campaign on minority health.

**SECTION 2241.** 146.19 (2) (intro.) of the statutes is amended to read:

146.19 **(2)** COOPERATIVE AMERICAN INDIAN HEALTH PROJECT GRANTS. (intro.) From the appropriation under s. 20.435 (5) ~~(ek)~~ (ke), the department shall award grants for cooperative American Indian health projects in order to promote cooperation among tribes, tribal agencies, inter–tribal organizations and other agencies and organizations in addressing specific problem areas in the field of American Indian

health. A tribe, tribal agency or inter–tribal organization may apply, in the manner specified by the department, for a grant of up to $10,000 to conduct a cooperative American Indian health project, which meets all of the following requirements:

**SECTION 2241c.** 146.19 (2m) of the statutes is created to read:

146.19 **(2m)** GRANTS TO TRIBAL HEALTH CENTERS. Subject to 1999 Wisconsin Act .... (this act), section 9123 (6tu), from the appropriation under s. 20.435 (5) (ke), the department shall award grants for the provision or purchase of health care services for tribal members and their families to tribal health care entities that provide primary health care, health education and social services to tribal members and their families and to tribal employes. The department shall establish by rule criteria for distributing grants to the health care entities. In developing the criteria, the department shall consider each tribe's financial need, resources available to each tribe and other demographic health status indicators.

**SECTION 2251.** 146.56 (1) of the statutes is amended to read:

146.56 **(1)** Not later than July 1, ~~2001~~ 2002, the department shall develop and implement a statewide trauma care system. The department shall seek the advice of the statewide trauma advisory council under s. 15.197 (25) in developing and implementing the system.

**SECTION 2251d.** 146.57 (title) of the statutes is amended to read:

**146.57** (title) **Statewide poison control ~~program~~ system.**

**SECTION 2251e.** 146.57 (1m) of the statutes is created to read:

146.57 **(1m)** DEFINITIONS. In this section:

(a) "Appropriate health–oriented background" means one of the following:

1. Licensure as an emergency medical technician — basic, emergency medical technician — intermediate or emergency medical technician — paramedic under s. 146.50 (5) (a).

2. Licensure as a licensed practical nurse under s. 441.10 (3).

3. Completion of a training program directed by a physician specializing in toxicology and, as determined by the medical director of a poison control center, background sufficient to understand and interpret standard poison information resources and to transmit that information understandably to both health professionals and the public under the direct supervision of a staff member specified under sub. (3m) (b) or the medical director.

(b) "On–line staff member" means a member of the staff of a poison control center who personally responds to telephone inquiries received by the poison control center.

(c) "Pharmacist" has the meaning given in s. 450.01 (15).

(d) "Physician" has the meaning given in s. 448.01 (5).

(e) "Poison control services" means poison prevention education, and rapid and accurate poison interpretation, poison intervention and management information.

(f) "Registered nurse" means a nurse who is licensed under s. 441.06.

(g) "School of pharmacy" means a school of pharmacy that is accredited by the American Council on Pharmaceutical Education.

(h) "Triage" means assign priority order on the basis of where resources can best be used or are most needed.

**SECTION 2251f.** 146.57 (3) (a) of the statutes is amended to read:

146.57 **(3)** (a) The department shall implement a statewide poison control ~~program~~ system, which shall provide poison control services that are available

statewide, on a 24–hour per day and 365–day per year basis and shall provide poison information and education to health care professionals and the public. From the appropriation under s. 20.435 (5) (ds), the department shall, if the requirement under par. (b) is met, distribute total funding of not more than $375,000 in each fiscal year to supplement the operation of the ~~program~~ system and to provide for the statewide collection and reporting of poison control data. The department may, but need not, distribute all of the funds in each fiscal year to a single poison control center.

**SECTION 2251g.** 146.57 (3m) of the statutes is created to read:

146.57 **(3m)** REQUIREMENTS OF POISON CONTROL CENTERS. (a) A poison control center shall maintain telephone services capable of providing rapid, accurate and complete poison information that is accessible throughout the state and that is free to users through a statewide toll–free hotline.

(b) An on–line staff member who interprets poison exposure data and provides poison intervention and management information shall be one of the following:

1. A registered nurse.

2. A pharmacist.

3. A physician.

4. A person who is certified by or eligible for certification by the American Association of Poison Control Centers as a specialist in poison information.

5. A school of pharmacy graduate who is in residency training.

6. A school of pharmacy enrollee who has completed the 2nd professional practice year.

7. A person who was employed as an on–line staff member on May 1, 1994, who has worked in that capacity at the poison control center for at least 3 years and who

annually receives at least 16 documented hours of continuing education in interpreting poison exposure data and providing poison intervention and management information.

(c) An on–line staff member who is designated as a poison information provider may, if he or she annually receives at least 16 documented hours of job–relevant continuing education and has an appropriate health–oriented background, provide poison information to manage nontoxic exposures and routine follow–up.

(d) An on–line staff member who is designated as a poison information provider shall triage incoming telephone calls concerning toxic exposures and, for health care professionals, concerning drug interaction interpretations, and refer such calls to an on–duty staff member under par. (b).

**SECTION 2254.** 146.93 (1) (a) of the statutes is amended to read:

146.93 **(1)** (a) From the appropriation under s. 20.435 ~~(1)~~ (4) (gp), the department shall maintain a program for the provision of primary health care services based on the primary health care program in existence on June 30, 1987. The department may promulgate rules necessary to implement the program.

**SECTION 2255.** 146.99 of the statutes is amended to read:

**146.99 Assessments.** The department shall, within 90 days after the commencement of each fiscal year, estimate the total amount of expenditures and the department shall assess the estimated total amount under s. 20.435 ~~(1)~~ (4) (gp) to hospitals, as defined in s. 50.33 (2), in proportion to each hospital's respective gross private–pay patient revenues during the hospital's most recently concluded entire fiscal year. Each hospital shall pay its assessment on or before December 1 for the fiscal year. All payments of assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (gp).

**SECTION 2255m.** 149.10 (3e) of the statutes is created to read:

149.10 **(3e)** "Fund" means the health insurance risk–sharing plan fund.

**SECTION 2256.** 149.12 (2) (d) of the statutes is renumbered 149.12 (2) (d) 1. and amended to read:

149.12 **(2)** (d) 1. Except ~~for a person who is an eligible individual~~ as provided in subd. 2., no person who is 65 years of age or older is eligible for coverage under the plan.

**SECTION 2257.** 149.12 (2) (d) 2. of the statutes is created to read:

149.12 **(2)** (d) 2. Subdivision 1. does not apply to any of the following:

a. A person who is an eligible individual.

b. A person who has coverage under the plan on the date on which he or she attains the age of 65 years.

**SECTION 2258.** 149.12 (3) (b) of the statutes is amended to read:

149.12 **(3)** (b) Persons for whom deductible or coinsurance amounts are paid or reimbursed under ch. 47 for vocational rehabilitation, under s. 49.68 for renal disease, under s. 49.685 (8) for hemophilia, under s. 49.683 for cystic fibrosis ~~or~~, under s. 253.05 for maternal and child health services or under s. 49.686 for the cost of drugs for the treatment of HIV infection or AIDS are not ineligible for coverage under the plan by reason of such payments or reimbursements.

**SECTION 2258d.** 149.125 of the statutes is repealed.

**SECTION 2258f.** 149.14 (2) (a) of the statutes is amended to read:

149.14 **(2)** (a) The plan shall provide every eligible person who is not eligible for medicare with major medical expense coverage. Major medical expense coverage offered under the plan under this section shall pay an eligible person's covered expenses, subject to sub. (3) and deductible, copayment and coinsurance payments

authorized under sub. (5), up to a lifetime limit of $1,000,000 per covered individual. The maximum limit under this paragraph shall not be altered by the board, and no actuarially equivalent benefit may be substituted by the board.

**SECTION 2259.** 149.14 (3) (intro.) of the statutes is amended to read:

149.14 **(3)** COVERED EXPENSES. (intro.) Except as provided in sub. (4), except as restricted by cost containment provisions under s. 149.17 (4) and except as reduced by the ~~board under s. 149.15 (3) (e) or by the~~ department under ~~s.~~ ss. 149.143 ~~or~~ and 149.144, covered expenses for the coverage under this section shall be the ~~usual and customary charges~~ payment rates established by the department under s. 149.142 for the services provided by persons licensed under ch. 446 and certified under s. 49.45 (2) (a) 11. Except as provided in sub. (4), except as restricted by cost containment provisions under s. 149.17 (4) and except as reduced by the ~~board under s. 149.15 (3) (e) or by the~~ department under ~~s.~~ ss. 149.143 ~~or~~ and 149.144, covered expenses for the coverage under this section shall also be the ~~usual and customary charges~~ payment rates established by the department under s. 149.142 for the following services and articles if the service or article is prescribed by a physician who is licensed under ch. 448 or in another state and who is certified under s. 49.45 (2) (a) 11. and if the service or article is provided by a provider certified under s. 49.45 (2) (a) 11.:

**SECTION 2259f.** 149.14 (3) (d) of the statutes is amended to read:

149.14 **(3)** (d) Drugs requiring a physician's prescription, subject to sub. (4c).

**SECTION 2259r.** 149.14 (4) (d) of the statutes is amended to read:

149.14 **(4)** (d) That part of any charge for services or articles rendered or prescribed by a physician, dentist or other health care personnel ~~which~~ that exceeds the ~~prevailing charge in the locality where the service is provided~~ payment rate

established by the department under s. 149.142 and reduced under ss. 149.143 and 149.144 or any charge not medically necessary.

**SECTION 2260.** 149.14 (4) (g) of the statutes is amended to read:

149.14 **(4)** (g) Dental care except as provided in sub. (3) (m) and (q).

**SECTION 2260c.** 149.14 (4) (n) of the statutes is created to read:

149.14 **(4)** (n) Services or drugs for the treatment of infertility, impotence or sterility.

**SECTION 2260d.** 149.14 (4c) of the statutes is created to read:

149.14 **(4c)** COVERAGE OF PRESCRIPTION DRUGS. (a) The department may require a pharmacist or pharmacy that provides a prescription drug to an eligible person to submit a payment claim directly to the plan administrator.

(b) The department may limit coverage of prescription drugs under sub. (3) (d) to those prescription drugs for which payment claims are submitted by pharmacists or pharmacies directly to the plan administrator.

**SECTION 2260h.** 149.14 (4m) of the statutes is amended to read:

149.14 **(4m)** PAYMENT IS PAYMENT IN FULL. Except for copayments, coinsurance or deductibles required or authorized under the plan, a provider of a covered service or article shall accept as payment in full for the covered service or article the payment rate determined under ss. 149.142, 149.143~~,~~ and 149.144 ~~and 149.15 (3) (e)~~ and may not bill an eligible person who receives the service or article for any amount by which the charge for the service or article is reduced under s. 149.142, 149.143~~,~~ or 149.144 ~~or 149.15 (3) (e)~~.

**SECTION 2260m.** 149.14 (5) (title) of the statutes is amended to read:

149.14 **(5)** (title) DEDUCTIBLES, COPAYMENTS AND COINSURANCE.

**SECTION 2260p.** 149.14 (5) (e) of the statutes is created to read:

149.14 **(5)** (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17 (4), establish copayments for prescription drug coverage under sub. (3) (d). Any copayment amounts or rates established are subject to the approval of the board. Copayments paid by an eligible person under this paragraph shall count toward the deductible and covered costs not paid by the plan under pars. (a) to (c).

**SECTION 2261.** 149.14 (6) (title) of the statutes is created to read:

149.14 **(6)** (title) PREEXISTING CONDITIONS.

**SECTION 2261f.** 149.14 (8) of the statutes is created to read:

149.14 **(8)** APPLICABILITY OF MEDICAL ASSISTANCE PROVISIONS. (a) Except as provided in par. (b), the department may, by rule under s. 149.17 (4), apply to the plan the same utilization and cost control procedures that apply under rules promulgated by the department to medical assistance under subch. IV of ch. 49.

(b) The department may not apply to eligible persons for covered services or articles the same copayments that apply to recipients of medical assistance under subch. IV of ch. 49 for services or articles covered under that program.

**SECTION 2261j.** 149.142 of the statutes is created to read:

**149.142 Provider payment rates. (1)** (a) Except as provided in par. (b), the department shall establish payment rates for covered expenses that consist of the allowable charges paid under s. 49.46 (2) for the services and articles provided plus an enhancement determined by the department. The rates shall be based on the allowable charges paid under s. 49.46 (2), projected plan costs and trend factors. Using the same methodology that applies to medical assistance under subch. IV of ch. 49, the department shall establish hospital outpatient per visit reimbursement rates and hospital inpatient reimbursement rates that are specific to diagnostically related groups of eligible persons.

(b) The payment rate for a prescription drug shall be the allowable charge paid under s. 49.46 (2) (b) 6. h. for the prescription drug.

**(2)** The rates established under this section are subject to adjustment under ss. 149.143 and 149.144.

**SECTION 2261m.** 149.143 (1) (intro.) of the statutes is amended to read:

149.143 **(1)** (intro.) The department shall pay or recover the operating costs of the plan from the appropriation under s. 20.435 (4) (v) and administrative costs of the plan from the appropriation under s. 20.435 (4) (u). For purposes of determining premiums, insurer assessments and provider payment rate adjustments, the department shall apportion and prioritize responsibility for payment or recovery of plan costs from among the moneys constituting the fund as follows:

**SECTION 2262b.** 149.143 (1) (a) of the statutes is amended to read:

149.143 **(1)** (a) First from the moneys transferred to the fund from the appropriation account under s. 20.435 ~~(5)~~ (4) (af).

**SECTION 2263b.** 149.143 (1) (b) 1. a. of the statutes is amended to read:

149.143 **(1)** (b) 1. a. First, from premiums from eligible persons with coverage under s. 149.14 set at 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan, including amounts received for premium and deductible subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under ~~ss.~~ s. 20.435 ~~(5)~~ (4) (ah) ~~and 149.144~~, and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

**SECTION 2263bm.** 149.143 (1) (b) 1. b. of the statutes is amended to read:

149.143 **(1)** (b) 1. b. Second, from ~~the appropriation under s. 20.435 (5) (gh)~~ moneys specified under sub. (2m), to the extent that the amounts under subd. 1. a. are insufficient to pay 60% of plan costs.

**SECTION 2263bn.** 149.143 (1) (b) 1. c. of the statutes is amended to read:

149.143 **(1)** (b) 1. c. Third, by increasing premiums from eligible persons with coverage under s. 149.14 to more than 150% but not more than 200% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan, including amounts received for premium and deductible subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under ~~ss.~~ s. 20.435 ~~(5)~~ (4) (ah) ~~and 149.144~~, and by increasing premiums from eligible persons with coverage under s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under subd. 1. a. and b. are insufficient to pay 60% of plan costs.

**SECTION 2263bp.** 149.143 (1) (b) 1. d. of the statutes is amended to read:

149.143 **(1)** (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer assessments, excluding assessments under s. 149.144, and adjusting provider payment rates, excluding adjustments to those rates under ~~ss.~~ s. 149.144 ~~and 149.15 (3) (e)~~, in equal proportions and to the extent that the amounts under subd. 1. a. to c. are insufficient to pay 60% of plan costs.

**SECTION 2264e.** 149.143 (1) (b) 2. b. of the statutes is amended to read:

149.143 **(1)** (b) 2. b. Fifty percent from adjustments to provider payment rates, excluding adjustments to those rates under ~~ss.~~ s. 149.144 ~~and 149.15 (3) (e)~~.

**SECTION 2265b.** 149.143 (2) (a) 1. a. of the statutes is amended to read:

149.143 **(2)** (a) 1. a. Estimate the amount of enrollee premiums that would be received in the new plan year if the enrollee premiums were set at a level sufficient,

when including amounts received for premium and deductible subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under ~~ss.~~ s. 20.435 ~~(5)~~ (4) (ah) ~~and 149.144~~ and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60% of the estimated plan costs for the new plan year, after deducting from the estimated plan costs the amount available ~~in~~ for transfer to the fund from the appropriation account under s. 20.435 ~~(5)~~ (4) (af) for that plan year.

**SECTION 2265bm.** 149.143 (2) (a) 1. c. of the statutes is repealed.

**SECTION 2266g.** 149.143 (2m) of the statutes is created to read:

149.143 **(2m)** (a) The department shall keep a separate accounting of the difference between the following:

1. The amount of premiums received in a plan year from all eligible persons, including amounts received for premium and deductible subsidies.

2. The amount of premiums, including amounts received for premium and deductible subsidies, necessary to cover 60% of the plan costs for the plan year, after deducting the amount transferred to the fund from the appropriation account under s. 20.435 (4) (af).

(b) Any amount by which the amount under par. (a) 1. exceeds the amount under par. (a) 2. may be used only as follows:

1. To reduce premiums in succeeding plan years as provided in sub. (1) (b) 1. b. For eligible persons with coverage under s. 149.14, premiums may not be reduced below 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan.

2. For other needs of eligible persons, with the approval of the board.

**SECTION 2267j.** 149.143 (3) (b) of the statutes is amended to read:

149.143 **(3)** (b) If~~, after increasing~~ the department increases premium rates and insurer assessments and ~~adjusting~~ adjusts the provider payment rate under par. (a)~~, the department~~ and determines that there will still be a deficit and that premium rates have been increased to the maximum extent allowable under par. (a), the department ~~shall~~ may further adjust, in equal proportions, assessments set under sub. (2) (a) 3. and the provider payment rate set under sub. (2) (a) 4., without regard to sub. (1) (b) 2.

**SECTION 2267m.** 149.143 (5) of the statutes is created to read:

149.143 **(5)** (a) Annually, no later than April 30, the department shall perform a reconciliation with respect to plan costs, premiums, insurer assessments and provider payment rate adjustments based on data from the previous calendar year. On the basis of the reconciliation, the department shall make any necessary adjustments in premiums, insurer assessments or provider payment rates for the fiscal year beginning on the first July 1 after the reconciliation, as provided in sub. (2) (b).

(b) Except as provided in sub. (3) and s. 149.144, the department shall adjust the provider payment rates to meet the providers' specified portion of the plan costs no more than once annually. The department may not determine the adjustment on an individual provider basis or on the basis of provider type, but shall determine the adjustment for all providers in the aggregate.

**SECTION 2267r.** 149.144 of the statutes is amended to read:

**149.144 Adjustments to insurer assessments and provider payment rates for premium and deductible reductions.** If the moneys transferred to the fund under the appropriation under s. 20.435 ~~(5)~~ (4) (ah) are insufficient to reimburse

the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a), or the department determines that the moneys transferred or to be transferred to the fund under the appropriation under s. 20.435 ~~(5)~~ (4) (ah) will be insufficient to reimburse the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a), the department ~~shall~~ may, by rule, adjust in equal proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and the provider payment rate set under s. 149.143 (2) (a) 4., subject to s. 149.143 (1) (b) 1., sufficient to reimburse the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a). ~~The~~ If the department makes the adjustment under this section, the department shall notify the commissioner so that the commissioner may levy any increase in insurer assessments.

**SECTION 2268m.** 149.145 of the statutes is amended to read:

**149.145 Program budget.** The department, in consultation with the board, shall establish a program budget for each plan year. The program budget shall be based on the provider payment rates specified in s. ~~149.15 (3) (e)~~ 149.142 and in the most recent provider contracts that are in effect and on the funding sources specified in s. 149.143 (1), including the methodologies specified in ss. 149.143, 149.144 and 149.146 for determining premium rates, insurer assessments and provider payment rates. Except as otherwise provided in s. 149.143 (3) (a) and (b), from the program budget the department shall derive the actual provider payment rate for a plan year that reflects the providers' proportional share of the plan costs, consistent with ss. 149.143 and 149.144. The department may not implement a program budget established under this section unless it is approved by the board.

**SECTION 2269.** 149.146 (1) (a) of the statutes is amended to read:

149.146 **(1)** (a) Beginning on January 1, 1998, in addition to the coverage required under s. 149.14, the plan shall offer to all eligible persons who are not eligible for medicare a choice of coverage, as described in section 2744 (a) (1) (C), P.L. 104–191. Any such choice of coverage shall be major medical expense coverage.

**SECTION 2270.** 149.146 (1) (b) 2. of the statutes is amended to read:

149.146 **(1)** (b) 2. An eligible person under par. (a) may elect once each year, at the time and according to procedures established by the department, among the coverages offered under this section and s. 149.14. If an eligible person elects new coverage, any preexisting condition exclusion imposed under the new coverage is met to the extent that the eligible person has been previously and continuously covered under this chapter. No preexisting condition exclusion may be imposed on an eligible person who elects new coverage if the person was an eligible individual when first covered under this chapter and the person remained continuously covered under this chapter up to the time of electing the new coverage.

**SECTION 2271.** 149.146 (2) (am) of the statutes is created to read:

149.146 **(2)** (am) 1. For all eligible persons with coverage under this section, the deductible shall be $2,500. Expenses used to satisfy the deductible during the last 90 days of a calendar year shall also be applied to satisfy the deductible for the following calendar year.

2. Except as provided in subd. 3., if the covered costs incurred by the eligible person exceed the deductible for major medical expense coverage in a calendar year, the plan shall pay at least 80% of any additional covered costs incurred by the person during the calendar year.

3. If the aggregate of the covered costs not paid by the plan under subd. 2. and the deductible exceeds $3,500 for any eligible person during a calendar year or $7,000

for all eligible persons in a family, the plan shall pay 100% of all covered costs incurred by the eligible person during the calendar year after the payment ceilings under this subdivision are exceeded.

4. Notwithstanding subds. 1. to 3., the department may establish different deductible amounts, a different coinsurance percentage and different covered costs and deductible aggregate amounts from those specified in subds. 1. to 3. in accordance with cost containment provisions established by the department under s. 149.17 (4).

**SECTION 2276m.** 149.15 (3) (e) of the statutes is repealed.

**SECTION 2277c.** 149.15 (3) (g) of the statutes is created to read:

149.15 **(3)** (g) Establish oversight committees to address various administrative issues, such as financial management of the plan and plan administrator performance standards. A representative of the department may not be the chairperson of any committee established under this paragraph.

**SECTION 2277d.** 149.16 (4) of the statutes is created to read:

149.16 **(4)** The plan administrator shall account for costs related to the plan separately from costs related to medical assistance under subch. IV of ch. 49.

**SECTION 2277f.** 149.16 (5) of the statutes is created to read:

149.16 **(5)** The department shall obtain the approval of the board before implementing any contract with the plan administrator.

**SECTION 2278b.** 149.165 (4) of the statutes is amended to read:

149.165 **(4)** The department shall reimburse the plan for premium reductions under sub. (2) and deductible reductions under s. 149.14 (5) (a) with moneys transferred to the fund from the appropriation account under s. 20.435 ~~(5)~~ (4) (ah).

**SECTION 2278c.** 149.17 (2) of the statutes is amended to read:

149.17 **(2)** A schedule of premiums, deductibles, copayments and coinsurance payments ~~which~~ that complies with all requirements of this chapter.

**SECTION 2278g.** 149.17 (4) of the statutes is amended to read:

149.17 **(4)** Cost containment provisions established by the department by rule, including managed care requirements. The department shall obtain the approval of the board before promulgating a rule that establishes a cost containment provision that would have an effect on an eligible person's access to health care services, such as the creation of new prior authorization requirements.

**SECTION 2278r.** 150.46 (3) of the statutes is created to read:

150.46 **(3)** This subchapter does not apply to the nursing care facility operated by the department of veterans affairs under s. 45.385.

**SECTION 2280.** 153.05 (6m) of the statutes is amended to read:

153.05 **(6m)** The department may contract with the group insurance board for the provision of data collection and analysis services related to health maintenance organizations and insurance companies that provide health insurance for state employes. The department shall establish contract fees for the provision of the services. All moneys collected under this subsection shall be credited to the appropriation under s. 20.435 ~~(1)~~ (4) (hg).

**SECTION 2280n.** 153.50 (5m) of the statutes is created to read:

153.50 **(5m)** EMPLOYERS NOT TO REQUEST PATIENT–IDENTIFIABLE DATA. Notwithstanding subs. (4) and (5) no employer may request the release of or access to patient–identifiable data of an employe of the employer.

**SECTION 2281.** 153.60 (1) of the statutes is amended to read:

153.60 **(1)** The department shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures under

this chapter for the department and the board for that fiscal year for data collection, data base development and maintenance, generation of data files and standard reports, orientation and training provided under s. 153.05 (9) and maintaining the board. The department shall assess the estimated total amount for that fiscal year less the estimated total amount to be received for purposes of administration of this chapter under s. 20.435 ~~(1)~~ (4) (hi) during the fiscal year, the unencumbered balance of the amount received for purposes of administration of this chapter under s. 20.435 ~~(1)~~ (4) (hi) from the prior fiscal year and the amount in the appropriation account under s. 20.435 (1) (dg) for the fiscal year, to health care providers who are in a class of health care providers from whom the department collects data under this chapter in a manner specified by the department by rule. The department shall obtain approval from the board for the amounts of assessments for health care providers other than hospitals and ambulatory surgery centers. The department shall work together with the department of regulation and licensing to develop a mechanism for collecting assessments from health care providers other than hospitals and ambulatory surgery centers. No health care provider that is not a facility may be assessed under this subsection an amount that exceeds $75 per fiscal year. Each hospital shall pay the assessment on or before December 1. All payments of assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (hg).

**SECTION 2282.** 153.60 (3) of the statutes is amended to read:

153.60 **(3)** The department shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures required for the collection, database development and maintenance and generation of public data files and standard reports for health care plans that voluntarily agree to supply health care data under s. 153.05 (6r). The department shall assess the

estimated total amount for that fiscal year to health care plans in a manner specified by the department by rule and may enter into an agreement with the office of the commissioner of insurance for collection of the assessments. Each health plan that voluntarily agrees to supply this information shall pay the assessments on or before December 1. All payments of assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (hg) and may be used solely for the purposes of s. 153.05 (6r).

**SECTION 2283.** 153.65 of the statutes is amended to read:

**153.65 Provision of special information; user fees.** The department may, but is not required to, provide, upon request from a person, a data compilation or a special report based on the information collected by the department. The department shall establish user fees for the provision of these compilations or reports, payable by the requester, which shall be sufficient to fund the actual necessary and direct cost of the compilation or report. All moneys collected under this section shall be credited to the appropriation under s. 20.435 ~~(1)~~ (4) (hi).

**SECTION 2283m.** 154.17 (1) of the statutes is amended to read:

154.17 **(1)** "Do–not–resuscitate bracelet" means a standardized identification bracelet ~~of uniform size, color, and design,~~ that meets the specifications established under s. 154.27 (1), or that is approved by the department under s. 154.27 (2), that bears the inscription "Do Not Resuscitate" and signifies that the wearer is a qualified patient who has obtained a do–not–resuscitate order and that the order has not been revoked.

**SECTION 2283n.** 154.19 (2) (b) of the statutes is renumbered 154.19 (2) (b) (intro.) and amended to read:

154.19 **(2)** (b) (intro.) After providing the information under par. (a), the attending physician, or the person directed by the attending physician, shall ~~affix~~

document in the patient's medical record the medical condition that qualifies the patient for the do–not–resuscitate order, shall make the order in writing and shall do one of the following, as requested by the qualified patient:

1. Affix to the wrist of the patient a do–not–resuscitate bracelet ~~and document in the patient's medical record the medical condition that qualifies the patient for the do–not–resuscitate order~~ that meets the specifications established under s. 154.27 (1).

**SECTION 2283p.** 154.19 (2) (b) 2. of the statutes is created to read:

154.19 **(2)** (b) 2. Provide an order form from a commercial vendor approved by the department under s. 154.27 (2) to permit the patient to order a do–not–resuscitate bracelet from the commercial vendor.

**SECTION 2283q.** 154.27 of the statutes is renumbered 154.27 (1) and amended to read:

154.27 **(1)** The department shall establish by rule a uniform standard for the size, color, and design of all do–not–resuscitate bracelets. ~~The~~ Except as provided in sub. (2), the rules shall require that the do–not–resuscitate bracelets include the inscription "Do Not Resuscitate"; the name, address, date of birth and gender of the patient; and the name, business telephone number and signature of the attending physician issuing the order.

**SECTION 2283r.** 154.27 (2) of the statutes is created to read:

154.27 **(2)** The department may approve a do–not–resuscitate bracelet developed and distributed by a commercial vendor if the bracelet contains an emblem that displays an internationally recognized medical symbol on the front and the words "Wisconsin Do–Not–Resuscitate–EMS" and the qualified patient's first and last name on the back. The department may not approve a do–not–resuscitate

bracelet developed and distributed by a commercial vendor if the vendor does not require a doctor's order for the bracelet prior to distributing it to a patient.

**SECTION 2288b.** 165.755 (1) (a) of the statutes is amended to read:

165.755 **(1)** (a) Except as provided in par. (b), ~~beginning on October 14, 1997,~~ a court shall impose a crime laboratories and drug law enforcement assessment of ~~$4~~ $5 if the court imposes a sentence, places a person on probation or imposes a forfeiture for a violation of state law or for a violation of a municipal or county ordinance.

**SECTION 2288f.** 165.76 (1) (a) of the statutes is amended to read:

165.76 **(1)** (a) Is in ~~prison or~~ a secured correctional facility, as defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g) or on probation, extended supervision, parole, supervision or aftercare supervision on or after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

**SECTION 2288h.** 165.76 (1) (ag) of the statutes is created to read:

165.76 **(1)** (ag) Is in prison on or after August 12, 1993, and before January 1, 2000, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

**SECTION 2288i.** 165.76 (1) (ar) of the statutes is created to read:

165.76 **(1)** (ar) Is in prison on or after January 1, 2000, for a felony committed in this state.

**SECTION 2288L.** 165.76 (1) (e) of the statutes is amended to read:

165.76 **(1)** (e) Is released on parole or extended supervision or placed on probation in another state before January 1, 2000, and is on parole, extended supervision or probation in this state from ~~another~~ the other state under s. 304.13 or 304.135 on or after July 9, 1996, for a violation of the law of ~~another~~ the other state

that the department of corrections determines, under s. 304.137 (1), is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

**SECTION 2288m.** 165.76 (1) (f) of the statutes is created to read:

165.76 **(1)** (f) Is released on parole or extended supervision or placed on probation in another state on or after January 1, 2000, and is on parole, extended supervision or probation in this state from the other state under s. 304.13 or 304.135 for a violation of the law of the other state that the department of corrections determines, under s. 304.137 (2), would constitute a felony if committed by an adult in this state.

**SECTION 2290.** 165.85 (5m) of the statutes is repealed.

**SECTION 2290v.** 165.87 (title) of the statutes is repealed.

**SECTION 2291.** 165.87 (1) (title) of the statutes is repealed.

**SECTION 2292m.** 165.87 (1) (a) of the statutes is renumbered 757.05 (2) (a) and amended to read:

757.05 **(2)** (a) *Law enforcement training fund.* Twenty–seven fifty–fifths of all moneys collected from penalty assessments under ~~this section~~ sub. (1) shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized in accordance with ss. 20.455 (2) and 165.85 (5) ~~and (5m)~~. The moneys credited to the appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (jb), constitute the law enforcement training fund.

**SECTION 2293.** 165.87 (1) (b) of the statutes is repealed.

**SECTION 2294m.** 165.87 (1) (bn) of the statutes is renumbered 16.964 (4) and amended to read:

16.964 **(4)** ~~Five twenty–seconds of all moneys collected from penalty assessments under this section shall be credited to the appropriation account under~~

~~and utilized in accordance with s. 20.505 (6) (g), except for moneys transferred to ss. 20.410 (3) (kj) and 20.505 (6) (h).~~ In regard to any grant the office makes to any local unit of government for which the state is providing matching funds from moneys under ~~this paragraph~~ s. 20.505 (6) (kp), the local unit of government shall provide matching funds equal to at least 10%.

**SECTION 2295.** 165.87 (1) (bp) of the statutes is repealed.

**SECTION 2296.** 165.87 (1) (br) of the statutes is repealed.

**SECTION 2297.** 165.87 (1) (c) of the statutes is repealed.

**SECTION 2298.** 165.87 (2) of the statutes is renumbered 757.05 (1).

**SECTION 2299.** 165.90 (4) (intro.) of the statutes is amended to read:

165.90 **(4)** (intro.) If the department approves a plan, the department shall certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ (kt). Prior to January 15, of the year for which funding is sought, the department shall distribute from the appropriations under s. 20.455 (2) ~~(d) and (hn)~~ (kt) to each eligible program the amount necessary to implement the plan, subject to the following limitations:

**SECTION 2300.** 165.90 (4) (a) of the statutes is amended to read:

165.90 **(4)** (a) A program may use funds received under s. 20.455 (2) ~~(d) or (hn)~~ (kt) only for law enforcement operations.

**SECTION 2301.** 165.90 (4) (b) of the statutes is amended to read:

165.90 **(4)** (b) A program shall, prior to the receipt of funds under s. 20.455 (2) ~~(d) or (hn)~~ (kt) for the 2nd and any subsequent year, submit a report to the department regarding the performance of law enforcement activities on the reservation in the previous fiscal year.

**SECTION 2302.** 166.15 (1) (f) of the statutes is amended to read:

166.15 **(1)** (f) "Nuclear incident" means any sudden or nonsudden release of ionizing radiation, as defined under s. 254.31 (3g), from radioactive waste being stored or disposed of in a waste repository or transported. "Nuclear incident" does not include any release of radiation from radioactive waste being transported under routine operations.

**SECTION 2302m.** 166.20 (5) (a) 3. of the statutes is amended to read:

166.20 **(5)** (a) 3. All facilities in this state covered under 42 USC 11021 and all public agencies and private agencies in this state at which a hazardous chemical is present at or above an applicable threshold quantity shall comply with the reporting requirements under 42 USC 11021 and 11022. The division shall implement minimum threshold levels for reporting by retail gas stations that are identical to the minimum threshold levels for reporting under 42 USC 11021 and 11022.

**SECTION 2303.** 166.20 (7g) of the statutes is repealed.

**SECTION 2303d.** 166.215 (5) of the statutes is amended to read:

166.215 **(5)** The division shall notify the joint committee on finance in writing, before entering into a new contractual agreement under sub. (1) or renewing or extending a contractual agreement under sub. (1), of the specific funding commitment involved in that proposed new, renewed or extended contract. The division shall include in that notification information regarding any anticipated contractual provisions that involve state fiscal commitments for each fiscal year in the proposed new, renewed or extended contract. The division may enter into a new contractual agreement or renew or extend a contractual agreement, as proposed in the notification to the joint committee on finance, if within 14 working days after notification the committee does not schedule a meeting to review the division's proposed action. If, within 14 working days after notification to the joint committee

on finance, the committee notifies the division that the committee has scheduled a meeting to review the division's proposed action, the division may enter into the proposed new contact or renew or extend the contract as proposed only if the committee approves that action. ~~Notwithstanding s. 13.10, the division may include in its notification to the joint committee on finance a request for approval of any increase in the amount of money in the appropriation account under s. 20.465 (3) (dd) necessary to provide sufficient money for the proposed new, renewed or extended contracts under sub. (1).~~

**SECTION 2303r.** 168.07 of the statutes is amended to read:

**168.07 Inspections; requirements. (1)** The inspector shall inspect each sample of petroleum product and if the inspector finds that it meets the minimum specifications prescribed by the department, the inspector shall issue an inspection certificate, except that inspections for particular grade specifications shall be at the discretion of the department. If an inspector believes that a product has been misidentified, an inspection shall be performed. If the inspector finds that the petroleum product does not meet the minimum specifications prescribed by the department, the inspector shall notify the person for whom the inspection was made. After such notice, no person may sell or use the product in this state or remove it from storage as long as it fails to meet the minimum specifications prescribed by the department or until satisfactory disposition is approved by the inspector. Any transporter, wholesaler or distributor of petroleum products who delivers or causes to be delivered a petroleum product that fails to meet the minimum specifications prescribed by the department shall, at the direction of the department, remove the petroleum product and dispose of it in a manner approved by the department. The

department may contract for the performance of testing conducted under this subsection.

**(2)** Inspections ~~made by the inspectors~~ under sub. (1) shall be conducted, so far as applicable, in accordance with the methods outlined in the latest revision of the ASTM Book of Standards of the American Society for Testing and Materials.

**SECTION 2308d.** 182.028 of the statutes is amended to read:

**182.028 School corporations.** Any corporation formed for the establishment and maintenance of schools, academies, seminaries, colleges or universities or for the cultivation and practice of music shall have power to enact bylaws for the protection of its property, and provide fines as liquidated damages upon its members and patrons for violating the bylaws, and may collect the same in tort actions, and to prescribe and regulate the courses of instruction therein, and to confer such degrees and grant such diplomas as are usually conferred by similar institutions or as shall be appropriate to the courses of instruction prescribed, except that no corporation shall operate or advertise a school that is subject to s. ~~39.51~~ 45.54 (10) without complying with the requirements of s. ~~39.51~~ 45.54. Any stockholder may transfer his or her stock to the corporation for its use; and if the written transfer so provides the stock shall be perpetually held by the board of directors with all the rights of a stockholder, including the right to vote.

**SECTION 2309m.** 196.01 (3n) of the statutes is amended to read:

196.01 **(3n)** "Mobile home" has the meaning given in s. 101.91 ~~(1)~~ (2e).

**SECTION 2316.** 196.218 (1) (a) and (b) of the statutes are repealed.

**SECTION 2317.** 196.218 (3) (a) 3. of the statutes is amended to read:

196.218 **(3)** (a) 3. The commission shall designate the method by which the contributions under this paragraph shall be calculated and collected. The method

shall ensure that the contributions are sufficient to generate the amounts appropriated under ss. 20.155 (1) (q), 20.255 (3) (q), 20.275 (1) (s), (t) and (tm) and 20.285 (1) (q). Contributions may be based only on the gross operating revenues from the provision of broadcast services identified by the commission under subd. 2. and on intrastate telecommunications services in this state of the telecommunications providers subject to the contribution.

**SECTION 2318.** 196.218 (4r) (title) of the statutes is renumbered 44.73 (title).

**SECTION 2319.** 196.218 (4r) (a) (intro.) of the statutes is repealed.

**SECTION 2320.** 196.218 (4r) (a) 1. of the statutes is renumbered 44.70 (1m).

**SECTION 2321.** 196.218 (4r) (a) 2. and 2m. of the statutes are renumbered 44.70 (3g) and (3j).

**SECTION 2322.** 196.218 (4r) (a) 3. of the statutes is renumbered 44.70 (6).

**SECTION 2323.** 196.218 (4r) (b) of the statutes is renumbered 44.73 (1) and amended to read:

44.73 **(1)** The ~~commission~~ board, in consultation with the department ~~and the board~~, shall promulgate rules establishing an educational telecommunications access program to provide ~~school districts, private schools, cooperative educational service agencies, technical college districts, private colleges and public library boards~~ educational agencies with access to data lines and video links.

**SECTION 2324.** 196.218 (4r) (c) (intro.), 1., 2., 3. and 4. of the statutes are renumbered 44.73 (2) (intro.), (a), (b), (c) and (d) and amended to read:

44.73 **(2)** (intro.) The rules promulgated under ~~par. (b)~~ sub. (1) shall do all of the following:

(a) Allow ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an

educational agency to make a request to the board for access to either one data line or one video link, except that ~~if~~ any educational agency may request access to additional data lines if the agency shows to the satisfaction of the board that the additional data lines are more cost–effective than a single data line and except that a school district that operates more than one high school ~~the rules shall allow the school district to~~ may request access to both a data line and a video link and ~~to request~~ access to more than one data line or video link. ~~The board shall forward requests received under this subdivision to the commission and the department.~~

(b) Establish eligibility requirements for ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an educational agency to participate in the program established under ~~par. (b). The requirements shall prohibit a participant in the program from receiving assistance from the universal service fund for the purpose specified in sub. (5) (a) 3. for educational telecommunications access that is substantially similar to the access provided to the participant under the program~~ sub. (1).

(c) Establish specifications for ~~a~~ data ~~line or~~ lines and video ~~link that~~ links for which access is provided to ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an educational agency under the program established under ~~par. (b)~~ sub. (1).

(d) Require ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an educational agency to pay the department not more than $250 per month for each data line or video link that is provided to the ~~school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ educational agency under the program established under ~~par.~~

~~(b)~~ sub. (1), except that the charge may not exceed $100 per month for each data line or video link that relies on a transport medium that operates at a speed of 1.544 megabits per second.

**SECTION 2325.** 196.218 (4r) (c) 5. of the statutes is renumbered 44.73 (2) (e).

**SECTION 2326.** 196.218 (4r) (d) of the statutes is renumbered 44.73 (3) and amended to read:

44.73 **(3)** The ~~commission~~ board shall submit an annual report to the ~~board~~ department on the status of providing data lines and video links that are requested under ~~par. (c) 1.~~ sub. (2) (a) and the impact on the universal service fund of any payment under ~~sub. (5) (a) 5.~~ contracts under s. 16.974 (7).

**SECTION 2327.** 196.218 (4r) (e) of the statutes is renumbered 44.73 (4) and amended to read:

44.73 **(4)** If the federal communications commission promulgates or modifies rules that provide rate discounts for telecommunications services to ~~school districts, private schools, cooperative educational service agencies, technical college districts, private colleges or public library boards~~ educational agencies under 47 USC 254, the governor shall submit a report to the joint committee on finance that includes any recommended changes to statutes or rules with respect to funding the program established under ~~par. (b)~~ sub. (1).

**SECTION 2328.** 196.218 (4r) (f) of the statutes is renumbered 44.73 (5) and amended to read:

44.73 **(5)** Notwithstanding ~~pars. (b) and (c)~~ subs. (1) and (2), technical college districts are not eligible to participate in the program established under ~~par. (b)~~ sub. (1) before April 1, 1998. ~~In consultation with the commission, the~~ The board shall determine by April 1, 1998, whether there are sufficient moneys in the appropriation

under s. 20.275 (1) ~~(s)~~ (t) to include technical college districts in the program established under ~~par. (b)~~ sub. (1). If the board determines that there are sufficient moneys, technical college districts are eligible to participate in the program established under ~~par. (b)~~ sub. (1) beginning on April 1, 1998.

**SECTION 2329.** 196.218 (4r) (g) of the statutes is renumbered 44.73 (6) and amended to read:

44.73 **(6)** From the appropriation under s. 20.275 (1) (gf), (gh), (s) or (tm), the board may award an annual grant to a school district or private school that had in effect on October 14, 1997, a contract for access to a data line or video link, as documented by the ~~commission~~ board. The board shall determine the amount of the grant, which shall be equal to the cost incurred by the state to provide telecommunications access to a school district or private school under a contract entered into under s. 16.974 (7) (a) or (c) less the amount that the school district or private school would be paying under ~~par. (c) 4.~~ sub. (2) (d) if the school district or private school were participating in the program established under ~~par. (b)~~ sub. (1), except that the amount may not be greater than the cost that a school district or private school incurs under the contract in effect on October 14, 1997. A school district or private school receiving a grant under this ~~paragraph~~ subsection is not eligible to participate in the program under ~~par. (b)~~ sub. (1). No grant may be awarded under this ~~paragraph~~ subsection after June 30, 2002.

**SECTION 2329m.** 196.218 (4u) of the statutes is created to read:

196.218 **(4u)** MEDICAL TELECOMMUNICATIONS EQUIPMENT PROGRAM. From the appropriation under 20.155 (1) (q), the commission may spend up to $500,000 annually for grants to nonprofit medical clinics and public health agencies for the purchase of telecommunications equipment to be used in providing services to their

clients. The commission shall promulgate rules establishing requirements and procedures for awarding grants under this subsection.

**SECTION 2330.** 196.218 (5) (a) 3. of the statutes is repealed.

**SECTION 2331.** 196.218 (5) (a) 5. of the statutes is amended to read:

196.218 **(5)** (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to the extent that these costs are not paid under ~~sub. (4r) (c) 4~~ s. 44.73 (2) (d).

**SECTION 2331g.** 196.218 (5) (a) 5m. of the statutes is created to read:

196.218 **(5)** (a) 5m. To provide statewide access, through the Internet, to periodical and reference information data bases.

**SECTION 2332.** 196.218 (5) (a) 7. of the statutes is amended to read:

196.218 **(5)** (a) 7. To make grants awarded by the technology for educational achievement in Wisconsin board to school districts and private schools under ~~sub. (4r) (g)~~ s. 44.73 (6). This subdivision does not apply after June 30, 2002.

**SECTION 2332f.** 196.218 (5) (a) 8. of the statutes is created to read:

196.218 **(5)** (a) 8. To promote access to information and library services to blind and visually handicapped individuals.

**SECTION 2332m.** 196.218 (5) (a) 9. of the statutes is created to read:

196.218 **(5)** (a) 9. To make grants under sub. (4u).

**SECTION 2332t.** 196.218 (5) (d) of the statutes is created to read:

196.218 **(5)** (d) 1. In this paragraph, "Wisconsin works agency" has the meaning given in s. 49.001 (9).

2. The commission shall annually provide information booklets to all Wisconsin works agencies that describe the current assistance from the universal service fund that is available to low–income individuals who are served by the Wisconsin works agencies, including a description of how such individuals may obtain such

assistance. The department of workforce development shall assist the commission in identifying the Wisconsin works agencies to which the commission is required to submit the information required under this subdivision.

**SECTION 2333.** 196.218 (5m) of the statutes is amended to read:

196.218 **(5m)** RULE REVIEW. ~~Except for rules promulgated under sub. (4r) (b), at~~ At least biennially, the commission shall review and revise as appropriate rules promulgated under this section.

**SECTION 2333m.** 196.218 (5u) of the statutes is created to read:

196.218 **(5u)** BIENNIAL BUDGET REQUEST. The commission shall include in its biennial budget request under s. 16.42 a proposed budget for each individual program for which the commission proposes to expend moneys from the universal fund in the forthcoming biennium. A proposed budget under this subsection shall describe each program and identify the proposed expenditure amount for each program for each fiscal year of the biennium.

**SECTION 2334.** 196.218 (6) (b) of the statutes is amended to read:

196.218 **(6)** (b) The universal service fund council shall advise the commission concerning the administration of this section and the content of rules promulgated under this section. ~~This paragraph does not apply to the administration of sub. (4r) and rules promulgated under sub. (4r) (b).~~

**SECTION 2335m.** 196.44 (2) (b) of the statutes is amended to read:

196.44 **(2)** (b) The attorney general may, on his or her own initiative, appear before the commission on telecommunications matters relating to consumer protection and antitrust. If acting under the authority granted by this paragraph, the attorney general shall have the rights accorded a party before the commission

in its proceedings but may not appeal as a party a decision of the commission to the circuit court. This paragraph does not apply after June 30, ~~1999~~ 2001.

**SECTION 2336m.** 196.85 (2m) of the statutes is amended to read:

196.85 **(2m)** Annually, the commission shall assess telecommunications utilities for the cost of one attorney position in the department of justice to provide services relating to telecommunications matters and for the cost of supplies, services and equipment related to that position. The amounts received under this subsection shall be credited to the appropriation under s. 20.455 (1) (kt). This subsection does not apply after June 30, ~~1999~~ 2001.

**SECTION 2342cc.** Subchapter VI (title) of chapter 218 [precedes 218.10] of the statutes is amended to read:

**CHAPTER 218**

SUBCHAPTER VI

~~MOBILE HOME~~ RECREATIONAL

VEHICLE DEALERS

**SECTION 2342cg.** 218.10 (1) of the statutes is repealed.

**SECTION 2342cL.** 218.10 (1m) of the statutes is created to read:

218.10 **(1m)** "Department" means the department of transportation, unless the context requires otherwise.

**SECTION 2342cp.** 218.10 (1t) of the statutes is repealed.

**SECTION 2342ct.** 218.10 (2) of the statutes is repealed.

**SECTION 2342cx.** 218.10 (3) of the statutes is renumbered 218.10 (1g), and 218.10 (1g) (intro.) and (e), as renumbered, are amended to read:

218.10 **(1g)** (intro.) ~~"Mobile home dealer"~~ "Dealer", unless the context requires otherwise, means a person who, for a commission or other thing of value, sells,

exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in ~~mobile homes~~ a recreational vehicle or who is engaged wholly or in part in the business of selling ~~mobile homes~~ recreational vehicles, whether or not the ~~mobile homes~~ recreational vehicles are owned by the person, but does not include:

(e) A person transferring a ~~mobile home~~ recreational vehicle registered in that person's name and used for that person's personal, family or household purposes, if the transfer is an occasional sale and is not part of the business of the transferor.

**SECTION 2342gc.** 218.10 (4) of the statutes is renumbered 218.10 (1x) and amended to read:

218.10 **(1x)** ~~"Mobile home manufacturer"~~ "Manufacturer" means any person within or without this state who manufactures or assembles ~~mobile homes~~ recreational vehicles for sale in this state.

**SECTION 2342gg.** 218.10 (5) of the statutes is repealed.

**SECTION 2342gi.** 218.10 (6) of the statutes is renumbered 218.10 (8t) and amended to read:

218.10 **(8t)** ~~"Mobile home salesperson"~~ "Salesperson", unless the context requires otherwise, means any person who is employed by a ~~mobile home~~ manufacturer or dealer to sell or lease ~~mobile homes~~ recreational vehicles.

**SECTION 2342gL.** 218.10 (7) of the statutes is amended to read:

218.10 **(7)** "New ~~mobile home~~ recreational vehicle" means a ~~mobile home~~ recreational vehicle which has never been occupied, used or sold for personal or business use.

**SECTION 2342gp.** 218.10 (8) of the statutes is repealed.

**SECTION 2342gt.** 218.10 (8m) of the statutes is amended to read:

218.10 **(8m)** "Recreational vehicle" means a mobile home, as defined in s. 340.01 (29), that does not exceed the statutory size under s. 348.07 (2).

**SECTION 2342gx.** 218.10 (9) of the statutes is amended to read:

218.10 **(9)** "Used ~~mobile home~~ recreational vehicle" means a ~~mobile home~~ recreational vehicle which has previously been occupied, used or sold for personal or business use.

**SECTION 2342Lc.** 218.101 of the statutes is repealed.

**SECTION 2342Lg.** 218.11 (title) of the statutes is amended to read:

**218.11** (title) **~~Mobile home~~ Recreational vehicle dealers regulated.**

**SECTION 2342LL.** 218.11 (1) of the statutes is amended to read:

218.11 **(1)** No person may engage in the business of selling ~~mobile homes to the ultimate~~ recreational vehicles to a consumer or to the retail market in this state unless first licensed to do so by the ~~licensor as herein provided~~ department.

**SECTION 2342Lp.** 218.11 (2) (b) and (d) of the statutes are amended to read:

218.11 **(2)** (b) 1. The ~~licensor~~ department shall promulgate rules establishing the license period under this section.

2. The ~~licensor~~ department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the ~~licensor~~ department issues a license under this section during the license period, the fee for the license shall equal $50 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

**SECTION 2342Lt.** 218.11 (3) of the statutes is amended to read:

218.11 **(3)** A license shall be issued only to persons whose character, fitness and financial ability, in the opinion of the ~~licensor~~ department, is such as to justify the belief that they can and will deal with and serve the buying public fairly and honestly, will maintain a permanent office and place of business and an adequate service and parts department during the license year, and will abide by all the provisions of law and lawful orders of the ~~licensor~~ department.

**SECTION 2342Lx.** 218.11 (6) (intro.) and (d) of the statutes are amended to read:

218.11 **(6)** (intro.) The ~~licensor~~ department may deny, suspend or revoke a license on the following grounds:

(d) Wilful failure to comply with any provision of this section or any rule promulgated by the ~~licensor~~ department under this section.

**SECTION 2342pc.** 218.11 (6) (n) of the statutes is amended to read:

218.11 **(6)** (n) Having violated any law relating to the sale, distribution or financing of ~~mobile homes~~ recreational vehicles.

**SECTION 2342pg.** 218.11 (7) of the statutes is amended to read:

218.11 **(7)** (a) The ~~licensor~~ department may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. Within 30 days after such notice, the applicant may petition the ~~department of administration~~ division of hearings and appeals, as defined in s. 218.01 (1) (gm), to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness. ~~If the licensor is the department of transportation, the division of hearings and appeals shall conduct the hearing.~~ This paragraph does not apply to denials of applications for licenses under sub. (6m).

(b) No license may be suspended or revoked except after a hearing thereon. The ~~licensor~~ department shall give the licensee at least 5 days' notice of the time and

place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the ~~licensor~~ department, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations ~~brought before the licensor~~ shall be heard and decided upon by the ~~department of administration. If the licensor is the department of transportation, the~~ division of hearings and appeals ~~shall conduct the hearing~~. This paragraph does not apply to licenses that are suspended under sub. (6m).

(c) The ~~licensor~~ department may inspect the pertinent books, records, letters and contracts of a licensee. The actual cost of each such examination shall be paid by such licensee so examined within 30 days after demand therefor by the ~~licensor,~~ department and the ~~licensor~~ department may maintain an action for the recovery of such costs in any court of competent jurisdiction.

**SECTION 2342pL.** 218.12 (title) of the statutes is amended to read:

**218.12** (title) **~~Mobile home dealer~~ Recreational vehicle salespersons regulated.**

**SECTION 2342pp.** 218.12 (1) of the statutes is amended to read:

218.12 **(1)** No person may engage in the business of selling ~~mobile homes to the ultimate~~ recreational vehicles to a consumer or to the retail market in this state without a license therefor from the ~~licensor~~ department. If a ~~mobile home~~ dealer acts as a ~~mobile home~~ salesperson the dealer shall secure a ~~mobile home~~ salesperson's license in addition to the license for engaging as a ~~mobile home~~ dealer.

**SECTION 2342pt.** 218.12 (2) (a) of the statutes is amended to read:

218.12 **(2)** (a) Applications for ~~mobile home~~ a salesperson's license and renewals thereof shall be made to the ~~licensor~~ department on such forms as the ~~licensor~~ department prescribes and furnishes and shall be accompanied by the license fee required under par. (c) or (d). The application shall include the applicant's social security number. In addition, the application shall require such pertinent information as the ~~licensor~~ department requires.

**SECTION 2342px.** 218.12 (2) (b) and (d) of the statutes are amended to read:

218.12 **(2)** (b) 1. The ~~licensor~~ department shall promulgate rules establishing the license period under this section.

2. The ~~licensor~~ department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the ~~licensor~~ department issues a license under this section during the license period, the fee for the license shall equal $4 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

**SECTION 2342tc.** 218.12 (3) of the statutes is amended to read:

218.12 **(3)** Every licensee shall carry his or her license when engaged in his or her business and display the same upon request. The license shall name his or her employer, and in case of a change of employer, the salesperson shall immediately mail his or her license to the ~~licensor who~~ department, which shall endorse such change on the license without charge.

**SECTION 2342tg.** 218.12 (5) of the statutes is amended to read:

218.12 **(5)** The provision of s. 218.01 (3) relating to the denial, suspension and revocation of a motor vehicle salesperson's license shall apply to the denial,

suspension and revocation of a ~~mobile home~~ salesperson's license so far as applicable, except that such provision does not apply to the denial, suspension or revocation of a license under sub. (3m).

**SECTION 2342tL.** 218.12 (6) of the statutes is amended to read:

218.12 **(6)** The provisions of s. 218.01 (3) (g) and (5) shall apply to this section, ~~mobile home~~ recreational vehicle sales practices and the regulation of ~~travel trailer or mobile home~~ recreational vehicle salespersons, as far as applicable.

**SECTION 2342tp.** 218.14 of the statutes is repealed.

**SECTION 2342tt.** 218.15 of the statutes is amended to read:

**218.15** (title) **Sale or lease of used ~~primary housing units~~ recreational vehicles.** In the sale or lease of any used ~~primary housing unit~~ recreational vehicle, the sales invoice or lease agreement shall contain the point of manufacture of the used ~~primary housing unit~~ recreational vehicle, the name of the manufacturer and the name and address of the previous owner.

**SECTION 2342tx.** 218.16 of the statutes is repealed.

**SECTION 2342xc.** 218.165 of the statutes is repealed.

**SECTION 2342xg.** 218.17 (1) of the statutes is repealed.

**SECTION 2342xL.** 218.17 (2) of the statutes is amended to read:

218.17 **(2)** In any court action brought by the ~~licensor~~ department for violations of this subchapter, the ~~licensor~~ department may recover all costs of testing and investigation, in addition to costs otherwise recoverable, if it prevails in the action.

**SECTION 2342xp.** 218.17 (3) of the statutes is amended to read:

218.17 **(3)** Nothing in this subchapter prohibits ~~the~~ an aggrieved customer from bringing ~~of~~ a civil action against a ~~mobile home manufacturer,~~ dealer or salesperson ~~by an aggrieved customer~~. If judgment is rendered for the customer

based on an act or omission by the ~~manufacturer,~~ dealer or salesperson, which constituted a violation of this subchapter, the plaintiff shall recover actual and proper attorney fees in addition to costs otherwise recoverable.

**SECTION 2351.** 224.30 (1) (title) of the statutes is created to read:

224.30 **(1)** (title) DEFINITION.

**SECTION 2352.** 224.30 (2) (title) of the statutes is created to read:

224.30 **(2)** (title) ELECTRONIC FORMS AND SIGNATURES.

**SECTION 2353.** 224.30 (3) of the statutes is created to read:

224.30 **(3)** COMPUTER DATABASES, NETWORKS AND SYSTEMS; ACCESS AND USE FEES. (a) Except as provided in par. (b), the department may by rule establish fees to be paid by members of the public for accessing or using the department's computer databases, computer networks or computer systems. Every fee established under this paragraph shall be based upon the reasonable cost of the service provided by the department, together with a reasonable share of the costs of developing and maintaining the department's computer databases, computer networks and computer systems.

(b) The department may not charge a fee under par. (a) to a person who accesses or uses a department data base or computer system at an office of the register of deeds under s. 409.407 (2m) (b).

**SECTION 2353m.** 227.01 (1) of the statutes is amended to read:

227.01 **(1)** "Agency" means <u>the Wisconsin land council or</u> a board, commission, committee, department or officer in the state government, except the governor, a district attorney or a military or judicial officer.

**SECTION 2353n.** 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

227.01 **(1)** "Agency" means ~~the Wisconsin land council or~~ a board, commission, committee, department or officer in the state government, except the governor, a district attorney or a military or judicial officer.

**SECTION 2353s.** 227.01 (13) (t) of the statutes is amended to read:

227.01 **(13)** (t) Ascertains and determines prevailing wage rates and prevailing hours of labor under ~~ss.~~ s. 20.924 (1) (i) 3. or (j) 3. c., 66.293, 103.49 ~~and~~ or 103.50, except that any action or inaction which ascertains and determines prevailing wage rates and prevailing hours of labor under ~~ss.~~ s. 20.924 (1) (i) 3. or (j) 3. c., 66.293, 103.49 ~~and~~ or 103.50 is subject to judicial review under s. 227.40.

**SECTION 2355m.** 227.113 of the statutes is created to read:

**227.113 Incorporation of state land use planning goals.** Each agency shall ensure that, consistently with the laws that it administers, the rules promulgated by the agency are designed to further the goals specified in s. 1.13 (2).

**SECTION 2356m.** 227.43 (1) (bg) of the statutes is amended to read:

227.43 **(1)** (bg) Assign a hearing examiner to preside over any hearing or review under ss. 84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16 (5), 86.195 (9) (b), 86.32 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b), 114.135 (9), 114.20 (19), 175.05 (4) (b), 194.145 (1), 194.46, 218.01 (2) (bd) 2. and (c) 2., (3) (b), (c), (f) 1., (fm) 1. and (h) and (3c) (d), 218.11 (7) (a) and (b), 218.22 (4) (a) and (b), 218.32 (4) (a) and (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d), 342.26, 343.69 and 348.25 (9).

**SECTION 2359h.** 229.42 (7) (b) 1. of the statutes is amended to read:

229.42 **(7)** (b) 1. Subject to subds. 2. and 3., the terms of office of the members of the board shall be 3 years, except that for the initial appointments for a newly created district, as specified in the enabling resolution, 4 of the appointments shall be for one year, 4 appointments, including the 3 members appointed under sub. (4)

(d), shall be for 2 years and 4 appointments shall be for 3 years. The cochairpersons of the joint committee on finance or their designees shall serve on the board for a term that is concurrent with their terms in office and the comptroller's appointment shall be for the comptroller's tenure in his or her position. ~~No member who is an officer or employe of a private sector entity may serve more than 2 consecutive full terms.~~

**SECTION 2359p.** 230.04 (16) of the statutes is created to read:

230.04 **(16)** The secretary shall establish in the classified service in–service training internships designed to give rigorous training in public service administration for periods not to exceed 3 years under the direct supervision of experienced administrators.

**SECTION 2359q.** 230.04 (17) of the statutes is created to read:

230.04 **(17)** To stimulate the interest of qualified students of exceptional merit in government career service, the secretary shall cooperate with the board of regents of the University of Wisconsin System in providing opportunities for recipients of public service scholarship loans to secure employment under the internship plan.

**SECTION 2359r.** 230.04 (18) of the statutes is created to read:

230.04 **(18)** The secretary may establish by rule in the classified service a tuition refund program to supplement agency training, to encourage employe job–related development and, upon satisfactory completion of training under this program, to refund to the employe an amount not to exceed the cost of tuition and necessary fees.

**SECTION 2359t.** 230.04 (19) of the statutes is created to read:

230.04 **(19)** The secretary may provide training services to persons covered under a plan of action under s. 230.147 (1) or (2).

**SECTION 2359tc.** 230.046 (title) of the statutes is amended to read:

**230.046** (title) ~~**Training**~~ **Agency training programs.**

**SECTION 2359te.** 230.046 (1) of the statutes is amended to read:

230.046 **(1)** DECLARATION OF POLICY. In order to promote efficiency and economy in the operation of the state government, to provide means for the development of maximum proficiency by employes thereof, to establish and maintain the highest standards of performance in the transaction of the state's business, and to install and utilize effectively the best modern practices and techniques which have been developed, tested and proved, it is necessary and desirable in the public interest that self–improvement be supplemented and extended by ~~state–sponsored~~ agency training programs. The objective of these programs is to develop skills, knowledge, and abilities which will best qualify state employes for effective performance of their official duties, and to retain skilled and efficient state employes in order to continually improve the quality of public service.

**SECTION 2359ti.** 230.046 (2) of the statutes is amended to read:

230.046 **(2)** SUPERVISORY TRAINING. After initial appointment to a supervisory position, ~~the~~ each appointing authority shall ensure that each classified service supervisor successfully completes a supervisory development program ~~approved by the secretary.~~ A waiver of any part of the probationary period under s. 230.28 (1) (c) may not be granted before completion of the development program. The program shall include such subjects as state personnel policies, grievance handling, discipline, performance evaluation, understanding the concerns of state employes with children, the supervisor's role in management and the concept of the total quality leadership process, including quality improvement through participatory management.

**SECTION 2359to.** 230.046 (3) (intro.) of the statutes is amended to read:

230.046 **(3)** TRAINING PROGRAMS. (intro.) ~~The secretary, pursuant to sub. (5), may authorize~~ Each appointing ~~authorities to~~ authority may do any of the following:

**SECTION 2359tr.** 230.046 (3) (b) of the statutes is repealed.

**SECTION 2359tv.** 230.046 (3) (c) of the statutes is amended to read:

230.046 **(3)** (c) Provide specialized training to designated employes through assignment to research projects, prescribed courses of study, institutes and short courses which are related to the performance of official duties, and ~~to~~ pay the cost of required tuition and other necessary fees and expense in connection therewith.

**SECTION 2359ty.** 230.046 (3) (d) of the statutes is amended to read:

230.046 **(3)** (d) Conduct on–the–job courses of instruction deemed necessary for the efficient performance of agency functions ~~and to pay honorariums to qualified experts instructing in such courses~~.

**SECTION 2359u.** 230.046 (4) to (11) of the statutes are repealed.

**SECTION 2359x.** 230.08 (2) (e) 3e. of the statutes is created to read:

230.08 **(2)** (e) 3e. Corrections –– 5.

**SECTION 2360f.** 230.08 (2) (e) 3m. of the statutes is amended to read:

230.08 **(2)** (e) 3m. Educational communications board — 4. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation as defined in s. 39.81 (2), this subdivision does not apply on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 2360m.** 230.08 (2) (e) 4. of the statutes is amended to read:

230.08 **(2)** (e) 4. Employment relations — ~~4~~ 3.

**SECTION 2361.** 230.08 (2) (e) 6. of the statutes is amended to read:

230.08 **(2)** (e) 6. Workforce development — ~~8~~ 7.

**SECTION 2361m.** 230.08 (2) (km) of the statutes is created to read:

230.08 **(2)** (km) Persons employed by the department of administration who were transferred to the department of administration under s. 39.87 (4) and who immediately before their transfer occupied a position described under par. (e) 3m., (L) 2. or (we).

**SECTION 2362m.** 230.08 (2) (L) 2. of the statutes is amended to read:

230.08 **(2)** (L) 2. Educational communications board, created under s. 15.57 (1). If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), this subdivision does not apply on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 2363.** 230.08 (2) (u) of the statutes is repealed.

**SECTION 2364m.** 230.08 (2) (we) of the statutes is amended to read:

230.08 **(2)** (we) Professional staff members of the educational communications board authorized under s. 39.13 (2). If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2).

**SECTION 2365.** 230.08 (2) (yr) of the statutes is created to read:

230.08 **(2)** (yr) The executive director of the governor's work–based learning board.

**SECTION 2366m.** 230.08 (4) (a) of the statutes is amended to read:

230.08 **(4)** (a) The number of administrator positions specified in sub. (2) (e) includes all administrator positions specifically authorized by law to be employed outside the classified service in each department, board or commission and the historical society. ~~In~~ Except as provided in par. (am), in this paragraph, "department" has the meaning given under s. 15.01 (5), "board" means the educational communications board, investment board, public defender board and technical college system board and "commission" means the public service commission. Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

**SECTION 2367b.** 230.08 (4) (am) of the statutes is created to read:

230.08 **(4)** (am) If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.88 (2), "board" in par. (a) means the investment board, public defender board and technical college system board.

**SECTION 2367d.** 230.28 (1) (am) of the statutes is amended to read:

230.28 **(1)** (am) All probationary periods for employes in supervisory or management positions are one year unless waived after 6 months under par. (c). The waiver under par. (c) may be exercised for an employe in a supervisory position only

if the employe has successfully completed ~~the~~ a supervisory development program under s. 230.046 (2). However, persons who transfer or are reinstated to supervisory or management positions consistent with conditions under sub. (4) and who had previously obtained permanent status in class in a supervisory or management position prior to the transfer or reinstatement shall serve a probationary period in accordance with sub. (4).

**SECTION 2367e.** 231.03 (6) (intro.) of the statutes is amended to read:

231.03 **(6)** (intro.) ~~Issue~~ Subject to s. 231.08 (7), issue bonds of the authority, and may refuse to issue bonds of the authority only if it determines that the issuance would not be financially feasible, to do the following:

**SECTION 2367m.** 231.08 (1) of the statutes is amended to read:

231.08 **(1)** ~~The~~ Subject to sub. (7), the authority may from time to time issue bonds for any corporate purpose. All such bonds or other obligations of the authority issued under this chapter are declared to be negotiable for all purposes, notwithstanding their payment from a limited source and without regard to any other law. The authority shall employ the building commission as its financial consultant to assist and coordinate the issuance of bonds and notes of the authority.

**SECTION 2367o.** 231.08 (7) of the statutes is created to read:

231.08 **(7)** Beginning on the effective date of this subsection .... [revisor inserts date], the authority may not issue bonds for the purpose of purchasing a health maintenance organization, as defined in s. 609.01 (2), or any other insurer, as defined in s. 600.03 (27).

**SECTION 2367q.** 233.03 (12) of the statutes is amended to read:

233.03 **(12)** ~~Seek~~ Subject to s. 233.24, seek financing from, and incur indebtedness to, the Wisconsin Health and Educational Facilities Authority.

**SECTION 2367r.** 233.10 (3) (c) 5. of the statutes is amended to read:

233.10 **(3)** (c) 5. Grant to the carry–over employe the same opportunity for employe training provided under s. 230.046, 1995 stats., as of the last day of his or her employment as a state employe if the employe was entitled to those benefits on that day.

**SECTION 2368m.** 233.20 (1) of the statutes is amended to read:

233.20 **(1)** ~~The~~ Subject to s. 233.24, the authority may issue bonds for any corporate purpose. All bonds are negotiable for all purposes, notwithstanding their payment from a limited source.

**SECTION 2368r.** 233.24 of the statutes is created to read:

**233.24 Limits on issuing bonds and incurring indebtedness.** Beginning on the effective date of this section .... [revisor inserts date], the authority may not issue bonds or incur indebtedness to the Wisconsin Health and Educational Facilities Authority for the purpose of purchasing a health maintenance organization, as defined in s. 609.01 (2), or any other insurer, as defined in s. 600.03 (27).

**SECTION 2369.** 233.27 of the statutes is amended to read:

**233.27 Limit on the amount of outstanding bonds.** The authority may not issue bonds or incur indebtedness described under s. 233.03 (12) if, after the bonds are issued or the indebtedness is incurred, the aggregate principal amount of the authority's outstanding bonds, together with all indebtedness described under s. 233.03 (12) would exceed ~~$50,000,000~~ $106,500,000. Bonds issued to fund or refund outstanding bonds, or indebtedness incurred to pay off or purchase outstanding indebtedness, is not included in calculating compliance with the ~~$50,000,000~~ $106,500,000 limit.

**SECTION 2370.** 234.04 (2) of the statutes is amended to read:

234.04 **(2)** The authority may make or participate in the making and enter into commitments for the making of long–term mortgage loans to eligible sponsors of housing projects for occupancy by persons and families of low and moderate income, or for the making of homeownership mortgage loans or housing rehabilitation loans to persons and families of low and moderate income, an applicant under s. 234.59 or other eligible beneficiaries as defined in s. 234.49. The loans may be made only upon the determination by the authority that they are not otherwise available from private lenders upon reasonably equivalent terms and conditions. The authority may not make a loan to a person ~~if it receives a certification under s. 49.855 (7) that the person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). The authority may employ, for such compensation as it determines, the services of any financial institution in connection with any loan.

**SECTION 2370m.** 234.265 (2) of the statutes is amended to read:

234.265 **(2)** Records or portions of records consisting of personal or financial information provided by a person seeking a grant or loan under s. 234.08, 234.49, 234.59, 234.61, 234.65, 234.67, 234.83, 234.84, ~~234.88,~~ 234.90, 234.905, 234.907 or 234.91, seeking a loan under ss. 234.621 to 234.626, seeking financial assistance under s. 234.66, seeking investment of funds under s. 234.03 (18m) or in which the authority has invested funds under s. 234.03 (18m), unless the person consents to disclosure of the information.

**SECTION 2371.** 234.49 (1) (c) of the statutes is renumbered 234.49 (1) (c) (intro.) and amended to read:

234.49 **(1)** (c) (intro.) "Eligible beneficiary" means ~~a~~ any of the following:

1. A person ~~for whom the authority has not received a certification from the department of workforce development under s. 49.855 (7) or a~~ whose name does not appear on the statewide support lien docket under s. 49.854 (2) (b), except that a person whose name appears on the statewide support lien docket is an "eligible beneficiary" if the person provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

2. A family who or which falls within the income limits specified in par. (f).

**SECTION 2372c.** 234.51 (2) (intro.) of the statutes is amended to read:

234.51 **(2)** (intro.) Subject to agreements with bondholders, the authority shall use moneys in the fund solely for the following purposes:

**SECTION 2372d.** 234.51 (2) (a) of the statutes is amended to read:

234.51 **(2)** (a) To pay all administrative costs, expenses and charges, including origination fees and servicing fees, incurred in conducting the housing rehabilitation loan program other than those described in ss. 234.53 (4) and 234.55 (2) (b)~~; or.~~

**SECTION 2372e.** 234.51 (2) (b) of the statutes is repealed and recreated to read:

234.51 **(2)** (b) To transfer annually to the general fund, beginning no later than October 1, 2000, all moneys in the housing rehabilitation loan program administration fund that are no longer required for the housing rehabilitation loan program.

**SECTION 2372f.** 234.51 (2) (c) of the statutes is created to read:

234.51 **(2)** (c) To make the transfer under 1999 Wisconsin Act .... (this act), section 9125 (1), to the Wisconsin development reserve fund under s. 234.93.

**SECTION 2372g.** 234.51 (2) (c) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 2373.** 234.52 (2) of the statutes is amended to read:

234.52 **(2)** Subject to agreements with bondholders, the authority shall use moneys in the fund solely for transfer to the housing rehabilitation loan program bond redemption fund in amounts equal to losses on housing rehabilitation loans owned by that fund which are not made good by federal insurance or guarantee payments, and solely for the purposes described in s. 234.55 (2) (a). Any balance remaining after payment or due provision for payment of all outstanding bonds issued under the authority of s. 234.50 shall be transferred to the housing rehabilitation loan program administration fund ~~only for the purpose of deposit in the state general fund~~.

**SECTION 2374.** 234.55 (3) of the statutes is amended to read:

234.55 **(3)** Any balance remaining after satisfaction of all obligations under sub. (2) shall be transferred to the housing rehabilitation loan program administration fund ~~only for the purpose of deposit in the state general fund~~.

**SECTION 2375.** 234.59 (3) (c) of the statutes is amended to read:

234.59 **(3)** (c) The authority shall notify an eligible lender if ~~it receives a certification under s. 49.855 (7) that a person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ a person's name appears on the statewide support lien docket under s. 49.854 (2) (b). An eligible lender may not make a loan to an applicant if it receives notification under this paragraph concerning the applicant, unless the applicant provides to the lender

a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2377.** 234.65 (3) (f) of the statutes is amended to read:

234.65 **(3)** (f) The ~~authority has not received a certification under s. 49.855 (7) that the person receiving the loan is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ name of the person receiving the loan does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a person whose name does appear if the person provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2383.** 234.83 (2) (a) 3. of the statutes is amended to read:

234.83 **(2)** (a) 3. The ~~authority has not received a certification under s. 49.855 (7) that the owner of the business is delinquent in making child support or maintenance payments~~ name of the owner of the business does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this subdivision is met for an owner whose name does appear if the owner of the business provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2388b.** 234.88 of the statutes is repealed.

**SECTION 2389.** 234.90 (2) (b) of the statutes is amended to read:

234.90 **(2)** (b) The total outstanding principal amount of all loans to the borrower that are guaranteed under this section will not exceed ~~$20,000~~ $30,000.

**SECTION 2390.** 234.90 (3) (d) of the statutes is amended to read:

234.90 **(3)** (d) The ~~authority has not received a certification under s. 49.855 (7) that the farmer is delinquent in making child support or maintenance payments or owes past support, medical expenses or birth expenses~~ farmer's name does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a farmer whose name does appear if the farmer provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2391.** 234.90 (3g) (c) of the statutes is amended to read:

234.90 **(3g)** (c) The ~~authority has not received a certification under s. 49.855 (7) that the farmer is delinquent in making child support or maintenance payments or owes past support, medical expenses or birth expenses~~ farmer's name does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a farmer whose name does appear if the farmer provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2392.** 234.905 (3) (d) of the statutes is amended to read:

234.905 **(3)** (d) The ~~authority has not received a certification under s. 49.855 (7) that the farmer is delinquent in making child support or maintenance payments or owes past support, medical expenses or birth expenses~~ farmer's name does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a farmer whose name does appear if the farmer provides to the authority a payment agreement that has been approved by the county

child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2393.** 234.91 (2) (c) of the statutes is amended to read:

234.91 **(2)** (c) The total outstanding guaranteed principal amount of all loans made to the borrower that are guaranteed under this section will not exceed ~~$100,000~~ $200,000, or ~~$50,000~~ $100,000 if any of the loans is affected by any other state or federal credit assistance program.

**SECTION 2393c.** 234.91 (5) (a) of the statutes is amended to read:

234.91 **(5)** (a) Subject to par. (c), the authority shall guarantee collection of a percentage of the principal of a loan eligible for a guarantee under sub. (2). The principal amount of an eligible loan that the authority may guarantee may not exceed the borrower's net worth calculated at the time the loan is made or 25% of the ~~total loan~~ outstanding principal amount, whichever is less~~, calculated at the time the loan is made~~.

**SECTION 2394.** 234.93 (1) (cm) of the statutes is created to read:

234.93 **(1)** (cm) Any moneys transferred under 1999 Wisconsin Act .... (this act), section 9125 (1), from the housing rehabilitation loan program administration fund.

**SECTION 2394r.** 234.93 (1) (e) of the statutes is repealed.

**SECTION 2396.** 234.93 (4) (a) 2. of the statutes is amended to read:

234.93 **(4)** (a) 2. To fund guarantees under all of the programs guaranteed by funds from the Wisconsin development reserve fund, except for the program under s. 234.935, 1997 stats., at a ratio of $1 of reserve funding to $4.50 of total outstanding principal and outstanding guaranteed principal that the authority may guarantee under all of those programs.

**SECTION 2397.** 234.93 (4) (a) 3. of the statutes is amended to read:

234.93 **(4)** (a) 3. To fund guarantees under the program under s. 234.935, 1997 stats., at a ratio of $1 of reserve funding to $4 of total principal and outstanding guaranteed principal that the authority may guarantee under that program.

**SECTION 2398.** 234.935 of the statutes is repealed.

**SECTION 2398c.** 236.11 (1) (a) of the statutes is amended to read:

236.11 **(1)** (a) Before submitting a final plat for approval, the subdivider may submit, or the approving authority may require that the subdivider submit, a preliminary plat. It shall be clearly marked "preliminary plat" and shall be in sufficient detail to determine whether the final plat will meet layout requirements. ~~Within~~ Subject to s. 236.13 (4m), within 90 days the approving authority, or its agent authorized to approve preliminary plats, shall take action to approve, approve conditionally, or reject the preliminary plat and shall state in writing any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the approving authority or its agent to act within the 90 days, or extension thereof, constitutes an approval of the preliminary plat.

**SECTION 2398d.** 236.11 (1) (b) of the statutes is amended to read:

236.11 **(1)** (b) If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to local plans and ordinances adopted as authorized by law, it is entitled to approval. ~~If~~ Notwithstanding s. 236.13 (4m), if the final plat is not submitted within 24 months after the last required approval of the preliminary plat, any approving authority may refuse to approve the final plat. The final plat may, if permitted by the approving authority, constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time.

**SECTION 2398g.** 236.13 (1) (c) of the statutes is repealed and recreated to read:

236.13 **(1)** (c) A comprehensive plan under s. 66.0295 or, if the municipality, town or county does not have a comprehensive plan, either of the following:

1. With respect to a municipality or town, a master plan under s. 62.23.

2. With respect to a county, a development plan under s. 59.69.

**SECTION 2398v.** 236.13 (2s) of the statutes is created to read:

236.13 **(2s)** No fee or charge of any kind may be imposed under this chapter, as a condition of plat approval, to fund the acquisition or installation of property unless the fee or charge meets the standards under s. 66.55 (6). The amount of any property, or value of any improvements, that is required to be dedicated, constructed or installed under this chapter as a condition of plat approval may not exceed the proportionate amount of property, or value of improvements, that is reasonably necessary to serve the land which is the subject of the land division.

**SECTION 2398w.** 236.13 (3) of the statutes is repealed.

**SECTION 2398x.** 236.13 (4m) of the statutes is created to read:

236.13 **(4m)** If a preliminary or final plat meets the requirements specified in this section and any requirements imposed under this section, an approving authority shall approve the plat, and an agency with the power to approve or object to plats shall approve the plat or certify that it has no objection to the plat, within the time limits specified in ss. 236.11 and 236.12.

**SECTION 2400e.** 236.45 (1) of the statutes is amended to read:

236.45 **(1)** DECLARATION OF LEGISLATIVE INTENT. The purpose of this section is to promote the public health, safety and general welfare of the community and the regulations authorized to be made are designed to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air, including access to

sunlight for solar collectors and to wind for wind energy systems; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds and other public requirements; to facilitate the further resubdivision of larger tracts into smaller parcels of land. The regulations provided for by this section shall be made with reasonable consideration, among other things, of the character of the municipality, town or county with a view of conserving the value of the buildings placed upon land, providing the best possible environment for human habitation, and for encouraging the most appropriate use of land throughout the municipality, town or county. Any fee or charge of any kind that is imposed under this section may be imposed only if it meets the standards under s. 66.55 (6).

**SECTION 2400h.** 250.10 of the statutes is amended to read:

**250.10 Grant for dental services.** From the appropriation under s. 20.435 (5) (de), the department shall provide funding in each fiscal year to the Marquette University School of Dentistry for clinical education of Marquette University School of Dentistry students through the provision of dental services by the students and faculty of the Marquette University School of Dentistry in ~~Waushara County and Monroe County, in~~ underserved areas and to underserved populations in the state, as determined by the department in conjunction with the Marquette University School of Dentistry; to inmates of correctional centers in Milwaukee County; and in clinics in the city of Milwaukee. Beginning July 1, 2000, the department shall also distribute to qualified applicants grants totaling $25,000 for fluoride supplements, $25,000 for a fluoride mouth–rinse program and $60,000 for a school–based dental sealant program.

**SECTION 2400m.** 250.15 of the statutes is created to read:

**250.15 Grants for community health centers. (1)** DEFINITION. In this section, "community health center" means a health care entity that provides primary health care, health education and social services to low–income individuals.

**(2)** GRANTS. (a) From the appropriation under s. 20.435 (5) (fh), the department shall award $50,000 in each fiscal year as a grant to a community health center in a 1st class city and shall award $100,000 in each fiscal year as a grant to a nurse–managed community health center in a first class city.

(b) From the appropriation under s. 20.435 (5) (fh), the department shall award grants totaling $3,500,000 in fiscal year 1999–2000 and totaling $4,000,000 in fiscal year 2000–01 and in each fiscal year thereafter, to community health centers that receive federal grants under 42 USC 254b (e), (g) or (h). Each grant shall equal the amount that results from multiplying the total amount available for grants under this paragraph in the fiscal year in which the grants are to be awarded by the quotient obtained by dividing the amount that the community health center received under 42 USC 254b (e), (g) or (h) in the most recently concluded federal fiscal year in which those grants were made by the total amount of federal grants under 42 USC 254b (e), (g) and (h) made in that federal fiscal year to community health centers in this state.

**SECTION 2421.** 252.10 (1) of the statutes is amended to read:

252.10 **(1)** ~~Counties with populations of more than 25,000 may establish and maintain public health dispensaries and, where necessary, branches of the dispensaries~~ A local health department may request from the department certification to establish and maintain a public health dispensary for the diagnosis and treatment of persons suffering from or suspected of having ~~mycobacterium~~ tuberculosis ~~or other pulmonary diseases~~. Two or more ~~counties~~ local health

departments may jointly establish, operate and maintain public health dispensaries ~~in order to serve a total population of not less than 25,000. Counties~~. The department shall certify a local health department to establish and maintain a public health dispensary if the local health department meets the standards established by the department by rule. The department of health and family services may withhold, suspend or revoke a certification if the local health department fails to comply with any rules promulgated by the department. The department shall provide the local health department with reasonable notice of the decision to withhold, suspend or revoke certification. The department shall offer the local health department an opportunity to comply with the rules and an opportunity for a fair hearing. Certified local health departments may contract ~~with each other~~ for public health dispensary services. ~~The department and department of revenue shall be notified of the establishment of public health dispensaries and any contracts pertaining to the dispensaries.~~ If the provider of those services fails to comply, the department may suspend or revoke the local health department's certification. The department may establish, operate and maintain public health dispensaries and branches in areas of the state where local authorities have not provided public health dispensaries.

**SECTION 2422.** 252.10 (3) of the statutes is repealed.

**SECTION 2423.** 252.10 (5) of the statutes is repealed.

**SECTION 2424.** 252.10 (6) (a) of the statutes is amended to read:

252.10 **(6)** (a) The state shall credit or reimburse each dispensary on an annual or quarterly basis for the operation of public health dispensaries established and maintained in accordance with this section and rules promulgated by the department.

**SECTION 2425.** 252.10 (6) (b) of the statutes is amended to read:

252.10 **(6)** (b) The ~~state~~ department shall determine by rule the reimbursement ~~for each visit~~ rate under par. (a) for services ~~as ordered by a physician shall be $6 or a greater amount prescribed in rules promulgated by the department. If an X–ray is taken, an additional $6 or any greater amount prescribed in rules promulgated by the department will be credited. Any X–ray taken outside a facility under this section or outside a facility approved under s. 252.08 on individuals who have a significant reaction to a test for mycobacterium tuberculosis shall qualify for state aid in the same manner as an X–ray taken inside a facility, and the X–ray shall take the place of the first X–ray eligible for reimbursement as part of a case finding and preventive program under par. (e). The administration and reading of the test for mycobacterium tuberculosis for diagnostic purposes shall be considered one visit. Tests for mycobacterium tuberculosis given in school programs, employment health programs, community preventive and case finding programs are not reimbursable as a clinic visit~~.

**SECTION 2426.** 252.10 (6) (c) of the statutes is repealed.

**SECTION 2427.** 252.10 (6) (d) of the statutes is repealed.

**SECTION 2428.** 252.10 (6) (e) of the statutes is repealed.

**SECTION 2429.** 252.10 (6) (f) of the statutes is repealed.

**SECTION 2430.** 252.10 (6) (g) of the statutes is amended to read:

252.10 **(6)** (g) The reimbursement by the state under pars. (a) ~~to (f)~~ and (b) shall apply only to funds that the department allocates for the reimbursement under the appropriation under s. 20.435 (5) (e).

**SECTION 2432.** 252.10 (9) of the statutes is amended to read:

252.10 **(9)** Public health dispensaries shall maintain such records as are required by the department to enable them to carry out their responsibilities

designated in this section and in rules promulgated by the department. Records ~~shall be submitted annually to the department as soon as possible after the close of each fiscal year and not later than August 15 following~~ may be audited by the department.

**SECTION 2432g.** 252.12 (2) (a) 8. of the statutes is amended to read:

252.12 **(2)** (a) 8. 'Life care and early intervention services.' The department shall award not more than ~~$1,894,900~~ $1,994,900 in each year in grants to applying organizations for the provision of needs assessments; assistance in procuring financial, medical, legal, social and pastoral services; counseling and therapy; homecare services and supplies; advocacy; and case management services. These services shall include early intervention services. The department shall also award not more than $74,000 in each year from the appropriation under s. 20.435 (7) (md) for the services under this subdivision. The state share of payment for case management services that are provided under s. 49.45 (25) (be) to recipients of medical assistance shall be paid from the appropriation under s. 20.435 (5) (am).

**SECTION 2432h.** 252.12 (2) (c) of the statutes is renumbered 252.12 (2) (c) 1.

**SECTION 2432i.** 252.12 (2) (c) 2. of the statutes is created to read:

252.12 **(2)** (c) 2. From the appropriation under s. 20.435 (5) (am), the department shall award $75,000 in each fiscal year as grants for services to prevent HIV. Criteria for award of the grants shall include the criteria specified under subd. 1. The department shall award 60% of the funding to applying organizations that receive funding under par. (a) 8. and 40% of the funding to applying community–based organizations that are operated by minority group members, as defined in s. 560.036 (1) (f).

**SECTION 2432j.** 252.12 (2) (c) 3. of the statutes is created to read:

252.12 **(2)** (c) 3. From the appropriation under s. 20.435 (5) (am), the department shall award to the African American AIDS task force of the Black Health Coalition of Wisconsin, Inc., $25,000 in each fiscal year as grants for services to prevent HIV.

**SECTION 2435q.** 253.06 (9) of the statutes is created to read:

253.06 **(9)** COUNCIL. (a) In this subsection, "council" means the supplemental food program for women, infants and children council under s. 15.197 (26).

(b) The council shall do all of the following:

1. Review all of the state statutes, administrative rules and department policies regarding the program under this section.

2. Propose statutory, rule or policy changes that would limit the occurrences of vender suspensions and terminations under sub. (5) (b) 2.

3. Propose statutory and rule changes necessary to ensure compliance with federal law.

4. Study the feasibility of distributing drafts to participants via the electronic benefit transfer system established under s. 49.129 and advise the department and the legislature regarding any policies necessary to ensure that no additional costs be incurred by vendors under the electronic benefit transfer system.

5. Submit a report to the secretary and to the legislature in the manner described under s. 13.172 (2) that details the council's recommendations for increasing the number of vendors participating in the program under this section.

(c) This subsection does not apply beginning on January 1, 2001.

**SECTION 2439.** 253.10 (3) (d) 1. of the statutes is amended to read:

253.10 **(3)** (d) 1. Geographically indexed materials that are designed to inform a woman about public and private agencies, including adoption agencies, and

services that are available to provide information on family planning, as defined in s. 253.07 (1) (a), including natural family planning information, to provide ultrasound imaging services, to assist her if she has received a diagnosis that her unborn child has a disability or if her pregnancy is the result of sexual assault or incest and to assist her through pregnancy, upon childbirth and while the child is dependent. The materials shall include a comprehensive list of the agencies available, a description of the services that they offer and a description of the manner in which they may be contacted, including telephone numbers and addresses, or, at the option of the department, the materials shall include a toll–free, 24–hour telephone number that may be called to obtain an oral listing of available agencies and services in the locality of the caller and a description of the services that the agencies offer and the manner in which they may be contacted. The materials shall provide information on the availability of governmentally funded programs that serve pregnant women and children. Services identified for the woman shall include ~~aid to families with dependent children under s. 49.19,~~ medical assistance for pregnant women and children under s. 49.47 (4) (am), ~~the job opportunities and basic skills program under s. 49.193,~~ the availability of family or medical leave under s. 103.10, the Wisconsin works program under ss. 49.141 to 49.161, child care services, child support laws and programs and the credit for expenses for household and dependent care and services necessary for gainful employment under section 21 of the internal revenue code. The materials shall state that it is unlawful to perform an abortion for which consent has been coerced, that any physician who performs or induces an abortion without obtaining the woman's voluntary and informed consent is liable to her for damages in a civil action and is subject to a civil penalty, that the father of a child is liable for assistance in the support of the child, even in instances

in which the father has offered to pay for an abortion, and that adoptive parents may pay the costs of prenatal care, childbirth and neonatal care. The materials shall include information, for a woman whose pregnancy is the result of sexual assault or incest, on legal protections available to the woman and her child if she wishes to oppose establishment of paternity or to terminate the father's parental rights. The materials shall state that fetal ultrasound imaging and auscultation of fetal heart tone services are obtainable by pregnant women who wish to use them and shall describe the services.

**SECTION 2439r.** 253.115 of the statutes is created to read:

**253.115 Newborn hearing screening programs. (1)** In this section:

(a) "Hearing loss" means an inability in one or both ears to detect sounds at 30 decibels hearing level or greater in the frequency region of 500 to 4,000 hertz, which affects speech recognition and auditory comprehension.

(b) "Hertz" means a unit of frequency equal to one cycle per second.

(c) "Hospital" has the meaning given in s. 50.33 (2).

(d) "Infant" means a child from birth to 3 months of age.

(e) "Newborn hearing screening program" means a system of a hospital under which an infant may be tested, using currently available medical techniques, to determine if the infant has a hearing loss.

**(2)** Beginning July 1, 2002, the department shall annually collect information from hospitals for the previous calendar year concerning the numbers of deliveries in each hospital and the availability in each hospital of a newborn hearing screening program. From this information, by July 31, 2003, and annually thereafter, the department shall determine the percentage of deliveries in this state that are performed in hospitals that have newborn hearing screening programs and shall

report this information to the appropriate standing committees of the legislature under s. 13.172 (3).

**(3)** If, by August 5, 2003, the department determines that fewer than 88% of all deliveries in this state are performed in hospitals that have a newborn hearing screening program and so notifies the hospitals, every hospital shall, by January 1, 2004, have a newborn hearing screening program that is available to all infants who are delivered in the hospital.

**(4)** From the appropriation under section 20.435 (5) (jk), the department shall award up to $333,000 in each fiscal year as grants to applying hospitals to fund the costs of establishing newborn hearing screening programs, as follows:

(a) For the period from January 1, 2000, to June 30, 2001, the department shall award moneys under this subsection only for payment of costs of capital equipment.

(b) For the period from July 1, 2001, to December 31, 2002, the department shall award moneys under this subsection for payment of training or any other initial costs of establishing a newborn hearing screening program.

**SECTION 2439s.** 253.115 (4) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 2441.** 254.31 (1) (b) of the statutes is created to read:

254.31 **(1)** (b) The tailings or waste produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content.

**SECTION 2442.** 254.31 (2) of the statutes is created to read:

254.31 **(2)** "Decommissioning" means conducting final operational activities at a nuclear facility to dismantle site structures, to decontaminate site surfaces and

remaining structures, to stabilize and contain residual radioactive material and to carry out any other activities necessary to prepare the site for postoperational care.

**SECTION 2443.** 254.31 (2m) of the statutes is created to read:

254.31 **(2m)** "General license" means a license, under requirements prescribed by the department by rule, to possess, use, transfer or acquire by–product material or devices or equipment utilizing by–product material without the filing of a license application by a person or issuance of licensing confirmation by the department.

**SECTION 2444.** 254.31 (3) of the statutes is renumbered 254.31 (1) (intro.) and amended to read:

254.31 **(1)** (intro.) "By–product material" means any ~~radioactive~~ of the following:

(a) Radioactive material ~~(~~,except special nuclear material~~)~~, yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

**SECTION 2445.** 254.31 (3g) of the statutes is repealed and recreated to read:

254.31 **(3g)** "Ionizing radiation" means all radiations capable of producing ions directly or indirectly in their passage through matter, including all of the following:

(a) Electromagnetic radiations, including X–rays and gamma rays.

(b) Particulate radiations, including electrons, beta particles, protons, neutrons, alpha particles and other nuclear particles.

**SECTION 2446.** 254.31 (5) of the statutes is created to read:

254.31 **(5)** "Radiation generating equipment" means a system, manufactured product or device or component part of such a product or device that, during operation, is capable of generating or emitting ionizing radiation without the use of

radioactive material. "Radiation generating equipment" does not include a device that emits nonionizing radiation.

**SECTION 2447.** 254.31 (6) of the statutes is amended to read:

254.31 **(6)** "Radiation installation" is any location or facility where radiation ~~machines are~~ generating equipment is used or where radioactive material is produced, transported, stored, disposed of or used for any purpose.

**SECTION 2448.** 254.31 (7) of the statutes is repealed.

**SECTION 2449.** 254.31 (8) of the statutes is renumbered 254.31 (9m) and amended to read:

254.31 **(9m)** "Radioactive material" includes any solid, liquid or gaseous substance which emits ionizing radiation spontaneously, including accelerator–produced material, by–product material, naturally occurring material, source material and special nuclear material.

**SECTION 2450.** 254.31 (9) of the statutes is amended to read:

254.31 **(9)** "Radiation source" means ~~a~~ radiation ~~machine~~ generating equipment or radioactive material ~~as defined herein~~.

**SECTION 2451.** 254.31 (11g) of the statutes is created to read:

254.31 **(11g)** "Specific license" means a license, under requirements prescribed by the department by rule, to possess, use, manufacture, produce, transfer or acquire radioactive material or devices or equipment utilizing radioactive material.

**SECTION 2452.** 254.31 (11m) of the statutes is created to read:

254.31 **(11m)** "Transuranic" means a radioactive material having an atomic number that is greater than 92.

**SECTION 2453.** 254.31 (12) of the statutes is amended to read:

254.31 **(12)** "X–ray tube" means any electron tube ~~which~~ that is contained in a device and that is specifically designed for the conversion of electrical energy into X–ray energy.

**SECTION 2454.** 254.33 of the statutes is amended to read:

**254.33 Public policy.** Since radiations and their sources can be instrumental in the improvement of the health and welfare of the public if properly utilized, and may be destructive or detrimental to life or health if carelessly or excessively employed or may detrimentally affect the environment of the state if improperly utilized, it is hereby declared to be the public policy of this state to encourage the constructive uses of radiation and to prohibit and prevent exposure to radiation in amounts which are or may be detrimental to health. It is further the policy for the department to advise, consult and cooperate with ~~the department of commerce and~~ other agencies of the state, the federal government, other states and interstate agencies and with affected groups, political subdivisions and industries; and, in general, to conform as nearly as possible to nationally accepted standards in the promulgation and enforcement of rules.

**SECTION 2455.** 254.335 of the statutes is created to read:

**254.335 Agreements with the U.S. nuclear regulatory commission transition. (1)** The governor may, on behalf of the state, enter into agreements with the U.S. nuclear regulatory commission, as provided in 42 USC 2021 (b), to discontinue certain federal licensing and related regulatory authority with respect to by–product material, source material and special nuclear material and to assume state regulatory authority.

**(2)** Any person who, on the effective date of an agreement specified under sub. (1), possesses a license issued by the U.S. nuclear regulatory commission that is

subject to the agreement is considered to possess a specific license issued under s. 254.365 (1) (a) or to fulfill requirements specified for a general license under s. 254.365 (1) (b). The specific license expires 90 days after the date of receipt by the person from the department of a notice of expiration of the license or on the date of expiration that was specified in the license issued by the U.S. nuclear regulatory commission, whichever is earlier.

**SECTION 2456.** 254.34 (1) (intro.) of the statutes is amended to read:

254.34 **(1)** (intro.) The department ~~and the department of commerce~~ is the state radiation control agency and shall do all of the following:

**SECTION 2457.** 254.34 (1) (a) of the statutes is amended to read:

254.34 **(1)** (a) ~~Formulate, adopt and enforce, amend and repeal~~ Promulgate and enforce rules, including registration and licensing of sources of ionizing radiation, as may be necessary to prohibit and prevent unnecessary radiation~~. Such~~ exposure. The rules may incorporate by reference the recommended standards of nationally recognized bodies in the field of radiation protection and other fields of atomic energy, under the procedure established by s. 227.21 (2). The rules for by–product material, source material and special nuclear material may be no less stringent than the requirements under 42 USC 2011 to 2114 and regulations adopted under 42 USC 2011 to 2114.

**SECTION 2458.** 254.34 (1) (c) of the statutes is renumbered 254.34 (1) (c) (intro.) and amended to read:

254.34 **(1)** (c) (intro.) Develop comprehensive policies and programs for the evaluation ~~and~~, determination and reduction of hazards associated with the use of radiation~~, and for their amelioration.~~ that are compatible with requirements of the U.S. nuclear regulatory commission for the regulation of by–product material,

source material and special nuclear material. The department shall maintain all of the following records:

**SECTION 2459.** 254.34 (1) (c) 1. of the statutes is created to read:

254.34 **(1)** (c) 1. Files of all license applications, issuances, denials, transfers, renewals, modifications, suspensions and revocations under s. 254.365.

**SECTION 2460.** 254.34 (1) (c) 2. of the statutes is created to read:

254.34 **(1)** (c) 2. Files of all registrants under s. 254.35 and any related administrative or judicial action.

**SECTION 2461.** 254.34 (2) (intro.) of the statutes is amended to read:

254.34 **(2)** (intro.) The department~~, serving as the lead agency, and the department of commerce~~ may:

**SECTION 2462.** 254.34 (4) of the statutes is renumbered 254.34 (1) (h) 5. and amended to read:

254.34 **(1)** (h) 5. ~~The department shall develop~~ Develop standards of performance for the regional radon centers and, from the appropriation under s. 20.435 (5) (ed), ~~the department shall~~ allocate funds based on compliance with the standards to provide radon protection information dissemination from the regional radon centers.

**SECTION 2463.** 254.345 of the statutes is created to read:

**254.345 Assessment of Fee. (1)** The department may annually assess a fee of 36% of the U.S. nuclear regulatory commission license application fee and materials license annual fee, for any licensee of the U.S. nuclear regulatory commission in this state. The fee amounts shall be used by the department for the department's activities under this subchapter. The department may revise the fee amounts by rule.

**(2)** This section does not apply after December 31, 2002.

**SECTION 2464.** 254.35 (1) of the statutes is amended to read:

254.35 **(1)** APPLICATION. ~~Every~~ For every site in this state ~~having~~ that has an ionizing radiation installation~~,~~ that is not exempted by this section or the rules of the department ~~shall be registered by the department by January 1, 1964, by,~~ the person in control of ~~an~~ the installation, including installations in sites that are administered by a state agency or in an institution under the jurisdiction of a state agency, ~~and no such~~ shall, prior to operation, register the ionizing radiation installation with the department. No ionizing radiation installation may be operated thereafter unless the site has been duly registered by January 1 of each year and a notice of the registration is possessed by the person in control. ~~Every site having an ionizing radiation installation established in this state after July 20, 1985, shall be registered prior to its operation.~~ The application for registration shall be made on forms provided by the department which shall be devised to obtain any information that is considered necessary for evaluation of hazards. Multiple radiation sources at a single radiation installation and under the control of one person shall be listed on a single registration form. Registration fees shall be levied in accordance with sub. (3). Registration alone ~~shall~~ does not imply approval of manufacture, storage, use, handling, operation or disposal of the radiation installation or radioactive materials, but ~~shall serve~~ serves merely to inform the department of the location and character of radiation sources. ~~The department shall furnish the department of commerce with a copy of each amended and new registration.~~ Persons engaged in manufacturing, demonstration, sale, testing or repair of radiation sources ~~shall not be~~ are not required to list such sources on the registration form.

**SECTION 2465.** 254.35 (2) of the statutes is amended to read:

254.35 **(2)** AMENDED REGISTRATION. If the person in control increases the number of sources, source strength, rated output or energy of radiation produced in any installation, he or she shall notify the department of the increase prior to operation on the revised basis. The department shall record the change in the registration. No registration is transferable from one premises to another or from one person to another. If the person in control ~~transfers~~ intends to transfer control of ownership of the radiation installation to another person ~~the registration also transfers to the other person, who~~, at least 15 days before the final transfer the registrant shall notify the department of the transfer ~~within 15 days. The department shall record the change in the~~ and the intended transferee shall file under sub. (1) an application for registration. If any installation is discontinued, the person in control shall notify the department within 30 days of the discontinuance.

**SECTION 2466.** 254.35 (3) (title) of the statutes is amended to read:

254.35 **(3)** (title) ~~FEES~~ REGISTRATION FEES.

**SECTION 2467.** 254.35 (3) (a) of the statutes is amended to read:

254.35 **(3)** (a) An annual registration fee under pars. (b) to ~~(f)~~ (fm) shall be levied for each site registration under this section. An additional penalty fee of ~~$10~~ $25, regardless of the number of X–ray tubes or generally licensed devices, shall be required for each registration whenever the annual fee for renewal is not paid prior to expiration of the registration. No additional fee may be required for recording changes in the registration information.

**SECTION 2468.** 254.35 (3) (b) of the statutes is amended to read:

254.35 **(3)** (b) For a ~~medical~~ site having an ionizing radiation installation serving physicians and clinics, osteopaths and clinics, ~~and~~ chiropractors or hospitals

that possesses radioactive materials in any quantity, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$30~~ $44 for each X–ray tube.

**SECTION 2469.** 254.35 (3) (c) of the statutes is amended to read:

254.35 **(3)** (c) For a ~~chiropractic,~~ podiatric or veterinary site having an ionizing radiation installation, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$30~~ $44 for each X–ray tube.

**SECTION 2470.** 254.35 (3) (d) of the statutes is amended to read:

254.35 **(3)** (d) For a dental site having an ionizing radiation installation, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$20~~ $30 for each X–ray tube.

**SECTION 2471.** 254.35 (3) (f) of the statutes is amended to read:

254.35 **(3)** (f) For an industrial, school, research project or other site having an ionizing radiation installation ~~and radioactive materials in any quantity~~, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$30~~ $44 for each X–ray tube.

**SECTION 2472.** 254.35 (3) (fm) of the statutes is created to read:

254.35 **(3)** (fm) For any site that has generally licensed devices that are not exempted by the department, the fee shall be at least $100 for each site and at least $50 for each device that contains at least 370 MBq or 10 mCi of cesium–137; 37 MBq or 1.0 mCi of cobalt–60; 3.7 MBq or 0.1 mCi of strontium–90; or 37 MBq or 1.0 mCi of a transuranic.

**SECTION 2473.** 254.35 (3) (g) of the statutes is amended to read:

254.35 **(3)** (g) The fees under this subsection shall be as stated unless the department promulgates rules to increase the annual registration fee ~~after January 1, 1986,~~ for a site having an ionizing radiation installation ~~or,~~ for an X–ray tube or for generally licensed devices that are not exempted by the department.

**SECTION 2474.** 254.35 (4) of the statutes is amended to read:

254.35 **(4)** EXEMPTIONS. ~~The department shall~~ After initial registration under sub. (1), the department may exempt from annual registration any source ~~licensed by the nuclear regulatory commission and may exempt from registration any source of radiation installation which~~ of radiation that the department finds to be without undue radiation hazard ~~as determined by standards established by the national committee on radiation protection and measurements or any comparable nationally recognized agency established for the purpose of recommending standards for radiation protection, and after the initial registration may exempt from subsequent annual radiation requirements any source of radiation devoted primarily to industrial purposes~~.

**SECTION 2475.** 254.36 of the statutes is renumbered 254.34 (1) (am) and amended to read:

254.34 **(1)** (am) ~~*Radiation protection*. The department shall promulgate a radiation protection code. Other departments and agencies of state government and~~ A rule identical to a rule specified under par. (a) may be promulgated by a state agency other than the department and an ordinance identical to a rule specified under par. (a) may be enacted by a local governmental ~~units may adopt the identical code~~ unit, but no ~~other~~ rule~~, code or ordinance relating to this subject may be promulgated or enacted~~ may be promulgated or ordinance may be enacted that differs from a rule under par. (a) and relates to the same subject area except as provided under ss. 166.03 (2) (b) 6., 293.15 (8) and 293.25.

**SECTION 2476.** 254.365 of the statutes is created to read:

**254.365 Licensing of radioactive material. (1)** LICENSE REQUIRED. No person may possess, use, manufacture, transport, store, transfer or dispose of radioactive material or a device or item of equipment that uses radioactive material

or may operate a site that uses radioactive material that is not under the authority of the U.S. nuclear regulatory commission unless one of the following applies:

(a) The person has a specific license issued by the department.

(b) The person meets general license requirements.

(c) The person possesses a license issued by another state or by the U.S. nuclear regulatory commission that is reciprocally recognized by the department.

(d) The person is exempted from licensure under sub. (7).

**(2)** APPLICATION. Application for a license under sub. (1) (a) or for reciprocal recognition under sub. (1) (c) shall be made on forms provided by the department.

**(3)** MODIFICATION OR TERMINATION OF LICENSE. Within 30 days after any change to the information on a license issued under this section, the licensee shall inform the department of the change and the department shall record the changed information. Within 30 days after termination of an activity licensed under this section, the person in control of the activity shall notify the department. The department may require that the person in control submit to the department for approval a plan for decommissioning the activity.

**(4)** RULES. The department shall promulgate rules for all of the following:

(a) The issuance, modification, suspension, termination and revocation of specific licenses under sub. (1) (a) under the standards specified in s. 254.34 (1) (a).

(b) The requirements for a general license under sub. (1) (b).

**(5)** FEES AND CHARGES. (a) The department may assess fees, the amounts of which are prescribed by the department by rule, for any of the following:

1. Issuance of an initial or renewal specific license under sub. (1) (a).

2. Annual license maintenance.

3. Issuance of a license amendment.

4. Termination of a license.

5. Issuance of reciprocal recognition of a license for radioactive materials of another state or the U.S. nuclear regulatory commission.

(b) The department may assess a late payment charge of 25% of the specific license renewal fee, in addition to the fee under par. (a) for renewal of a specific license, if payment for renewal of a specific license is not made within 30 days after the license expiration date.

**(6)** DENIAL, SUSPENSION OR REVOCATION OF LICENSURE. The department may, after a hearing under ch. 227, refuse to issue a license or suspend or revoke a license for failure by the licensee to comply with this subchapter, rules promulgated by the department under this subchapter or any condition of the license.

**(7)** EXEMPTION. The department may exempt from licensing requirements of this section radioactive material that the department finds is without undue radiation hazard.

**SECTION 2477.** 254.37 (1) of the statutes is renumbered 254.37 (1) (intro.) and amended to read:

254.37 **(1)** NOTIFICATION OF VIOLATION AND ORDER OF ABATEMENT. (intro.) Whenever the department ~~or the department of commerce~~ finds, upon inspection and examination, that a source of radiation as constructed, operated or maintained results in a violation of this subchapter or of any rules promulgated under this subchapter, ~~it~~ the department shall ~~notify~~ do all of the following:

(a) Notify the person in control that is causing, allowing or permitting the violation as to the nature of the violation ~~and order.~~

(b) Order that, prior to a specified time, the person in control shall cease and abate causing, allowing or permitting the violation and take such action as may be

necessary to have the source of radiation constructed, operated, or maintained in compliance with this subchapter and rules promulgated under this subchapter.

**SECTION 2478.** 254.37 (2) of the statutes is amended to read:

254.37 **(2)** ORDERS. The department ~~or the department of commerce~~ shall issue and enforce such orders or modifications of previously issued orders as may be required in connection with proceedings under this subchapter. The orders shall be subject to review by the department upon petition of the persons affected. Whenever the department ~~or the department of commerce~~ finds that a condition exists ~~which~~ that constitutes an immediate threat to health due to violation of this subchapter or any rule or order promulgated under this subchapter, it may issue an order reciting the existence of the threat and the findings pertaining to the threat. The department ~~or the department of commerce~~ may summarily cause the abatement of the violation.

**SECTION 2479.** 254.37 (3) of the statutes is amended to read:

254.37 **(3)** RULES. The department shall promulgate and enforce the rules pertaining to ionizing radiation ~~in establishments principally engaged in furnishing medical, surgical, chiropractic and other health services to persons and animals. The department of commerce shall enforce the rules pertaining to ionizing radiation in industrial establishments. The department shall notify the department of commerce and deliver to it a copy of each new registration and at such time a decision shall be made as to which state agency shall enforce the rules pertaining to ionizing radiation~~.

**SECTION 2480.** 254.37 (4) of the statutes is amended to read:

254.37 **(4)** ~~ENFORCEMENT~~ JURISDICTION. ~~All orders issued under this subchapter shall be enforced by the attorney general.~~ The circuit court of Dane county shall have jurisdiction to enforce the orders by injunctional and other appropriate relief.

**SECTION 2481.** 254.38 (title) of the statutes is created to read:

**254.38** (title) **Emergency authority.**

**SECTION 2482.** 254.38 of the statutes is renumbered 254.38 (1) and amended to read:

254.38 **(1)** IMPOUNDING MATERIALS. The department ~~or department of commerce~~ may impound or order the sequestration of sources of radiation in the possession of any person who is not equipped to observe or who fails to observe safety standards to protect health that are established in rules promulgated by the department ~~or the department of commerce~~.

**SECTION 2483.** 254.38 (2) of the statutes is created to read:

254.38 **(2)** EMERGENCY ORDERS. If the department finds that an emergency exists concerning a matter subject to regulation under this subchapter that requires immediate action to protect the public health or safety, the department may issue an emergency order without notice or hearing that recites the existence of the emergency and requires such action as is necessary to mitigate the emergency. Any person to whom the order is issued shall immediately comply with the order. A person to whom an emergency order is issued shall be afforded a hearing within 30 days after receipt by the department of a written request for the hearing. An emergency order is effective upon issuance and remains in effect for up to 90 days after issuance, except that the order may be revoked or modified based on the results of the hearing.

**SECTION 2484.** 254.39 (2) of the statutes is amended to read:

254.39 **(2)** This subchapter does not apply to on–site activities of any nuclear reactor plant licensed by the ~~nuclear regulatory commission~~ U.S. nuclear regulatory commission.

**SECTION 2485.** 254.45 of the statutes is repealed and recreated to read:

**254.45 Penalties. (1)** GENERAL. (a) Any person who violates this subchapter or a rule promulgated under this subchapter or a condition of a license or registration issued by the department under this subchapter may be required to forfeit not less than $100 nor more than $100,000. Each day of continued violation constitutes a separate offense.

(b) The amount of the forfeiture assessed under par. (a) shall be determined by considering all of the following:

1. The wilfulness of the violation.

2. The person's previous violations, if any, of this subchapter, rules promulgated under this subchapter or conditions of a license or registration issued by the department under this subchapter.

3. The potential danger or actual or potential injury to the environment or to public health caused by the violation.

4. The actual or potential costs of the damage or injury caused by the violation.

**(2)** ASSESSMENT OF FORFEITURES; NOTICE. The department may directly assess forfeitures provided for in sub. (1). If the department determines that a forfeiture should be assessed for a particular violation, the department shall send a notice of assessment to the person. The notice shall specify the amount of the forfeiture assessed and the violation and the statute or rule alleged to have been violated and shall inform the person of the right to hearing under sub. (3).

**(3)** HEARING. A person upon whom a forfeiture is imposed may contest the action by sending, within 10 days after receipt of notice of a contested action, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a

hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days of receipt of the request for hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227.

**(4)** FORFEITURE PAYMENT AND DISPOSITION. (a) A person against whom the department has assessed a forfeiture shall pay the forfeiture to the department within 10 days after receipt of the notice under sub. (2) or, if the person contests the assessment, within 10 days after receipt of the final decision after exhaustion of administrative review. If the person petitions for judicial review under ch. 227, the person shall pay the forfeiture within 10 days after receipt of the final judicial decision.

(b) The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

**(5)** ENFORCEMENT. The attorney general may bring an action in the name of the state to collect any forfeiture imposed under this section if the forfeiture has not been paid as required under sub. (4). The only issue to be contested in an action under this subsection is whether the forfeiture has been paid.

**SECTION 2486g.** 255.15 of the statutes is created to read:

**255.15 Statewide tobacco control program. (1)** DEFINITIONS. In this section, "council" means the tobacco control council.

**(2)** PROGRAM DEVELOPMENT. (a) The council shall develop program and budget recommendations annually for a statewide tobacco control program and shall submit its recommendations not later than February 1, 2000, and annually thereafter, to the

secretary of health and family services. In developing the recommendations, the council shall consider successful tobacco control programs in other states and shall base its recommendations on recommendations of the U.S. Centers for Disease Control and Prevention regarding the allocation of funding for comprehensive tobacco control programs. The department shall review the council's recommendations and shall develop, and prepare an annual detailed plan for, a statewide tobacco control program based on the recommendations. The annual plan shall specify how the funds under sub. (3) (b) will be distributed and the projected cost of administering the statewide tobacco control program.

(b) Not later than March 1, 2000, and annually thereafter, the department shall submit the plan under par. (a) to the joint committee on finance. If, within 14 days after the submission of the plan, the cochairpersons of the committee do not notify the secretary that a meeting has been scheduled for the purpose of reviewing the plan, the department may expend the funds under sub. (3) (b) and (d) in the manner proposed in the plan. If, within 14 days after the submission of the plan, the cochairpersons notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may expend the funds under sub. (3) (b) and (d) in the manner proposed in the plan only to the extent approved by the committee.

**(3)** USE OF FUNDS. (a) From the appropriation under s. 20.435 (5) (tc), the department shall distribute the following amounts to or for all of the following:

1. The board of regents of the University of Wisconsin System for the tobacco research and intervention center at the University of Wisconsin–Madison, $1,000,000 in each fiscal year.

2. The Thomas T. Melvin youth tobacco prevention and education program under s. 255.10, $1,000,000 in fiscal year 1999–2000 and not less than $1,000,000 in fiscal year 2000–01 and in each fiscal year thereafter.

3. A youth smokeless tobacco cessation and prevention campaign developed by the division within the department that has primary responsibility for administering public health programs, $92,000 in fiscal year 1999–2000.

4. The Medical College of Wisconsin for tobacco use prevention and cessation activities, $500,000 in fiscal year 2000–01 and in each fiscal year thereafter. Funds distributed under this subdivision may only be used for activities directly related to preventing individuals from smoking and assisting smokers to quit smoking.

5. Grants to any applying school in which grade 6, 7 or 8 is taught that purchases in calendar year 1998 or after the module of the Body Awareness Resource Network software produced by Pyramid Media that concerns smoking and tobacco use, $150,000 in fiscal year 2000–01. The amount of the grant to each school may not exceed the actual cost to the school of the software.

(b) After consulting with the council regarding the selection of specific programs or activities to be funded under this paragraph and subject to sub. (2) (b), from the appropriation under s. 20.435 (5) (tc), the department may distribute grants for any of the following:

1. Community–based programs to reduce tobacco use.

2. Community–based programs to reduce the burden of tobacco–related diseases.

3. School–based programs relating to tobacco use cessation and prevention.

4. Enforcement of local laws aimed at reducing exposure to secondhand smoke and restricting underage access to tobacco.

5. Grants for partnerships among statewide organizations and businesses that support activities related to tobacco use cessation and prevention.

6. Marketing activities that promote tobacco use cessation and prevention.

7. Projects designed to reduce tobacco use among minorities and pregnant women.

8. Other tobacco use cessation programs.

9. Surveillance of indicators of tobacco use and evaluation of the activities funded under this section.

(c) No recipient of moneys distributed under par. (b) may expend more than 10% of those moneys for administrative costs.

(d) From the appropriation under s. 20.435 (1) (tc), subject to sub. (2) (b), beginning in fiscal year 2000–01, the department may expend for administration of the program under this section not more than 5% of the total amount deposited in that fiscal year into the tobacco control fund under s. 25.66.

**(4)** REPORTS. Not later than September 1, 2002, and annually thereafter, the department shall submit to the governor and to the chief clerk of each house of the legislature for distribution under s. 13.172 (2) a report that evaluates the success of the program under this section. The report shall specify the number of programs supported under sub. (3) (b) during the immediately preceding fiscal year and the purpose of each program. The report shall also specify any donations, grants or bequests to the department for the tobacco control program under this section.

**SECTION 2487.** 281.01 (15) of the statutes is amended to read:

281.01 **(15)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or

contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

**SECTION 2487p.** 281.16 (3) (e) of the statutes is amended to read:

281.16 **(3)** (e) An owner or operator of an agricultural facility or practice that is in existence before October 14, 1997, may not be required by this state or a municipality to comply with the performance standards, prohibitions, conservation practices or technical standards under this subsection unless cost–sharing is available, under ~~sub. (5) or~~ s. 92.14 or 281.65 or from any other source, to the owner or operator. For the purposes of this paragraph, sub. (4) and ss. 92.07 (2), 92.105 (1), 92.15 (4) and 823.08 (3) (c) 2., the department of natural resources shall promulgate rules that specify criteria for determining whether cost–sharing is available under ~~sub. (5) or~~ s. 281.65 and the department of agriculture, trade and consumer protection shall promulgate rules that specify criteria for determining whether cost–sharing is available under s. 92.14 or from any other source. The rules may not allow a determination that cost–sharing is available to meet local regulations under s. 92.07 (2), 92.105 (1) or 92.15 that are consistent with or that exceed the performance standards, prohibitions, conservation practices or technical standards under this subsection unless the cost–sharing is at least 70% of the cost of compliance or is from 70% to 90% of the cost of compliance in cases of economic hardship, as defined in the rules.

**SECTION 2487r.** 281.16 (4) of the statutes is amended to read:

281.16 **(4)** APPLICATION TO ANIMAL FEEDING OPERATIONS. If the department issues a notice of discharge under ch. 283 for an animal feeding operation, the performance standards, prohibitions, conservation practices and technical standards under sub. (3) apply to the animal feeding operation, except that if the animal feeding operation is in existence before October 14, 1997, the performance standards, prohibitions, conservation practices and technical standards only apply if the department determines that cost–sharing is available to the owner or operator of the animal feeding operation under ~~sub. (5),~~ s. 92.14 or 281.65 or from any other source.

**SECTION 2487t.** 281.16 (5) of the statutes is repealed.

**SECTION 2490x.** 281.57 (10r) of the statutes is created to read:

281.57 **(10r)** LOAN FOR REPLACEMENT OF A FAILED SEQUENTIAL BATCH REACTOR. Notwithstanding subs. (2), (4) to (10) and (12), during the 1999–2001 biennium, the department shall provide a loan of $770,000 to a municipality for all of the administrative, planning, design and construction costs incurred after January 1, 1997, for the replacement of a failed sequential batch reactor point source pollution abatement facility for which the department has issued written concurrence on or before March 26, 1999, that the construction of a new wastewater treatment plant is the most cost–effective option, and for which the municipality has on or before March 26, 1999, committed to work with the department towards securing reimbursement of the loan from the federal environmental protection agency under 40 CFR 35.2032. The department may not charge any interest on the loan and may not require the municipality to repay the loan until the municipality receives a grant from the federal environmental protection agency for the replacement of the point source pollution abatement facility. If the federal environmental protection agency

denies the grant or a portion of the grant, the department shall forgive the amount of the loan that exceeds the amount of the grant.

**SECTION 2491.** 281.58 (1) (ae) of the statutes is repealed.

**SECTION 2492.** 281.58 (6) (a) 4. of the statutes is repealed.

**SECTION 2493.** 281.58 (6) (b) 1. of the statutes is amended to read:

281.58 **(6)** (b) 1. Purchasing or refinancing the obligation of a municipality if the obligation was incurred to finance the cost of constructing a water pollution control project located in this state ~~and the obligation was initially incurred on or after May 17, 1988~~.

**SECTION 2494.** 281.58 (6) (b) 2. of the statutes is repealed.

**SECTION 2495.** 281.58 (7) (b) 3. of the statutes is repealed.

**SECTION 2495p.** 281.58 (7) (b) 5. of the statutes is repealed.

**SECTION 2496.** 281.58 (7) (b) 7. of the statutes is repealed.

**SECTION 2496m.** 281.58 (8) (a) 1. of the statutes is amended to read:

281.58 **(8)** (a) 1. A person or municipality that has failed to substantially comply, as specified by the rules promulgated under sub. (2), with the terms of a federal or state grant or loan used to pay the costs of studies, investigations, plans, designs or construction associated with wastewater collection, transportation, treatment or disposal ~~or used to pay the cost of studies, investigations, plans, designs or construction associated with implementing a nonpoint source control management program~~.

**SECTION 2497.** 281.58 (8) (h) of the statutes is amended to read:

281.58 **(8)** (h) Except as provided in par. (k), a municipality that is a violator of an effluent limitation at the time that the application for a treatment work project is approved under sub. (9m) may not receive financial assistance of a method

specified under sub. (6) (b) 1., ~~2.,~~ 3., 4. or 5. for that part of the treatment work project that is needed to correct the violation. This paragraph does not apply to a municipality that after May 17, 1988, is in compliance with a court or department order to correct a violation of the enforceable requirements of its ch. 283 permit, and that is applying for financial assistance under s. 281.59 (13) to correct that violation.

**SECTION 2498.** 281.58 (8) (j) of the statutes is created to read:

281.58 **(8)** (j) The amount of a payment under sub. (6) (b) 8. may not exceed the amount of subsidy necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the municipality under sub. (6) (b) 4.

**SECTION 2499.** 281.58 (8) (L) of the statutes is repealed.

**SECTION 2500.** 281.58 (8e) (a) of the statutes is amended to read:

281.58 **(8e)** (a) The type of project and the order in which it is listed under sub. (7) (b) 1. to ~~7.~~ 6.

**SECTION 2501.** 281.58 (8s) of the statutes is amended to read:

281.58 **(8s)** FACILITY PLAN. A municipality seeking financial assistance for a project under this section~~, except for a municipality seeking a capital cost loan,~~ shall complete a facility plan as required by the department by rule.

**SECTION 2502.** 281.58 (9) (b) of the statutes is amended to read:

281.58 **(9)** (b) A municipality seeking financial assistance~~, except for a municipality seeking a capital cost loan,~~ for a project under the clean water fund program shall complete an environmental analysis sequence as required by the department by rule.

**SECTION 2502v.** 281.58 (12) (a) 2. of the statutes is repealed.

**SECTION 2503.** 281.58 (12) (a) 4. of the statutes is amended to read:

281.58 **(12)** (a) 4. The interest rate for projects specified in sub. (7) (b) 6. ~~and 7.~~ and for those portions of projects under subd. 1. that are restricted by sub. (8) (b), (c), (f) or (h) is market interest rate.

**SECTION 2504.** 281.58 (12) (a) 5. of the statutes is repealed.

**SECTION 2504e.** 281.58 (12) (f) of the statutes is amended to read:

281.58 **(12)** (f) The department and the department of administration jointly may request the joint committee on finance to take action under s. 13.101 (11) to modify the percentage of market interest rates established in par. (a) 1. ~~to~~ or 3.

**SECTION 2504p.** 281.59 (1) (d) (intro.) of the statutes is amended to read:

281.59 **(1)** (d) (intro.) "Subsidy" means the amounts provided from the environmental improvement fund to clean water fund program, safe drinking water loan program, urban storm water loan program and land recycling loan program projects for the following purposes:

**SECTION 2504q.** 281.59 (1) (d) 1. of the statutes is amended to read:

281.59 **(1)** (d) 1. To reduce the interest rate of clean water fund program, safe drinking water loan program, urban storm water loan program and land recycling loan program loans from market rate to a subsidized rate.

**SECTION 2504r.** 281.59 (1) (em) of the statutes is created to read:

281.59 **(1)** (em) "Urban storm water loan program" means the program administered under s. 281.595, with financial management provided under this section.

**SECTION 2505.** 281.59 (1m) (c) of the statutes is created to read:

281.59 **(1m)** (c) There is established a private sewage system replacement and rehabilitation loan program, administered under s. 145.245 (12m).

**SECTION 2506f.** 281.59 (1m) (d) of the statutes is created to read:

281.59 **(1m)** (d) There is established an urban storm water loan program, administered under s. 281.595, with financial management provided under this section.

**SECTION 2506g.** 281.59 (2) (a) of the statutes is amended to read:

281.59 **(2)** (a) Administer its responsibilities under this section and ss. 281.58, 281.595, 281.60 and 281.61.

**SECTION 2506h.** 281.59 (2) (b) of the statutes is amended to read:

281.59 **(2)** (b) Cooperate with the department in administering the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program.

**SECTION 2506i.** 281.59 (3) (a) 1. of the statutes is amended to read:

281.59 **(3)** (a) 1. An estimate of the wastewater treatment, safe drinking water, urban storm water and land recycling project needs of the state for the 4 fiscal years of the next 2 biennia.

**SECTION 2506j.** 281.59 (3) (a) 4. of the statutes is amended to read:

281.59 **(3)** (a) 4. The extent to which the funding for the clean water fund program, the urban storm water loan program and the safe drinking water loan program, in the environmental improvement fund, will be maintained in perpetuity.

**SECTION 2506k.** 281.59 (3) (a) 5. of the statutes is amended to read:

281.59 **(3)** (a) 5. The most recent available audited financial statements of the past operations and activities of the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program, the estimated environmental improvement fund capital available in each of the next 4 fiscal years for the clean water fund program, the urban storm water loan program and the safe drinking water loan program, and the projected

environmental improvement fund balance for the clean water fund program, the urban storm water loan program and the safe drinking water loan program for each of the next 20 years given existing obligations and financial conditions.

**SECTION 2506L.** 281.59 (3) (a) 6s. of the statutes is created to read:

281.59 **(3)** (a) 6s. An amount equal to the estimated present value of subsidies for all loans under the urban storm water loan program to be made during the biennium for which the biennial finance plan is prepared, discounted at a rate of 7% per year to the first day of that biennium.

**SECTION 2506m.** 281.59 (3) (a) 7. of the statutes is amended to read:

281.59 **(3)** (a) 7. A discussion of the assumptions made in calculating the amounts under subds. 6., 6e. ~~and~~, 6m. and 6s.

**SECTION 2506q.** 281.59 (3) (j) of the statutes is amended to read:

281.59 **(3)** (j) No later than November 1 of each odd–numbered year, the department of administration and the department jointly shall submit a report, to the building commission and committees as required under par. (bm), on the implementation of the amount established under sub. (3e) (b) as required under s. 281.58 (9m) (e), and on the operations and activities of the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program for the previous biennium.

**SECTION 2507.** 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

281.59 **(3e)** (b) 1. Equal to ~~$90,200,000~~ $85,200,000 during the ~~1997–99~~ 1999–01 biennium.

3. Equal to $1,000 for any biennium after the ~~1997–99~~ 1999–01 biennium.

**SECTION 2508.** 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3m)** (b) 1. Equal to ~~$4,500,000~~ $9,400,000 during the ~~1997–99~~ 1999–01 biennium.

2. Equal to $1,000 for any biennium after the ~~1997–99~~ 1999–01 biennium.

**SECTION 2509.** 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3s)** (b) 1. Equal to ~~$21,000,000~~ $5,200,000 during the ~~1997–99~~ 1999–01 biennium.

2. Equal to $1,000 for any biennium after the ~~1997–99~~ 1999–01 biennium.

**SECTION 2509m.** 281.59 (3v) of the statutes is created to read:

281.59 **(3v)** URBAN STORM WATER LOAN PROGRAM EXPENDITURES. (a) No moneys may be expended for the urban storm water loan program in a biennium until the legislature reviews and approves all of the following as part of the biennial budget act for the biennium:

1. An amount of present value of the subsidy for the urban storm water loan program that is specified for that biennium under par. (b) and is based on the amount included in the biennial finance plan under sub. (3) (a) 6s.

2. The amount of public debt, authorized under s. 20.866 (2) (tc), that the state may contract for the purposes of the urban storm water loan program.

(b) The amount of present value of the subsidy for the urban storm water loan program that is approved by the legislature under this paragraph is as follows:

1. Equal to $4,500,000 during the 1999–01 biennium.

2. Equal to $1,000 for any biennium after the 1999–01 biennium.

(c) The department of administration may allocate amounts approved under par. (b) as the present value of subsidies for financial assistance under the urban storm water loan program.

(d) Using the amount approved under par. (b) as a base, the department of administration shall calculate the present value of the actual subsidy of each urban storm water loan made for those projects in each biennium that are approved for financial assistance. The present value shall be discounted as provided under sub. (3) (a) 6s.

**SECTION 2509p.** 281.59 (4) (a) of the statutes is amended to read:

281.59 **(4)** (a) The clean water fund program ~~is a~~ and the urban storm water loan program are revenue–producing ~~enterprise or program~~ enterprises or programs, as defined in s. 18.52 (6).

**SECTION 2509q.** 281.59 (4) (am) of the statutes is amended to read:

281.59 **(4)** (am) Deposits, appropriations or transfers to the environmental improvement fund for the purposes of the clean water fund program or the urban storm water loan program may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18 or in accordance with subch. IV of ch. 18 if designated a higher education bond.

**SECTION 2510.** 281.59 (4) (b) of the statutes is amended to read:

281.59 **(4)** (b) The department of administration may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562, deposit in a separate and distinct fund in the state treasury or in an account maintained by a trustee outside the state treasury, any portion of the revenues derived under s. 25.43 (1). The revenues deposited with a trustee outside the state treasury are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this subsection.

**SECTION 2510d.** 281.59 (4) (c) of the statutes is amended to read:

281.59 **(4)** (c) The building commission may pledge any portion of revenues received or to be received in the fund established in par. (b) or the environmental improvement fund to secure revenue obligations issued under this subsection. The pledge shall provide for the transfer to the environmental improvement fund of all pledged revenues, including any interest earned on the revenues, which are in excess of the amounts required to be paid under s. 20.320 (1) (c) and (u) for the purposes of the clean water fund program <u>or the urban storm water loan program</u>. The pledge shall provide that the transfers be made at least twice yearly, that the transferred amounts be deposited in the environmental improvement fund and that the transferred amounts are free of any prior pledge.

**SECTION 2511.** 281.59 (9) (a) of the statutes is amended to read:

281.59 **(9)** (a) A loan approved under the clean water fund program, the safe drinking water loan program<u>, the urban storm water loan program</u> or the land recycling loan program shall be for no longer than 20 years, as determined by the department of administration, be fully amortized not later than 20 years after the original date of the ~~note~~ <u>financial assistance agreement</u>, and require the repayment of principal and interest, if any, to begin not later than 12 months after the expected date of completion of the project that it funds, as determined by the department of administration.

**SECTION 2511c.** 281.59 (9) (am) of the statutes is amended to read:

281.59 **(9)** (am) The department of administration, in consultation with the department, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation, as set forth under s. 66.36, is required for the repayment of the financial assistance. Any terms and conditions established under this paragraph by the

department of administration shall comply with the requirements of this section and s. 281.58, 281.595, 281.60 or 281.61. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

**SECTION 2511e.** 281.59 (9) (b) (intro.) of the statutes is amended to read:

281.59 **(9)** (b) (intro.) As a condition of receiving financial assistance under the clean water fund program, the safe drinking water loan program, the urban storm water loan program or the land recycling loan program, an applicant shall do all of the following:

**SECTION 2511f.** 281.59 (9) (b) 1. of the statutes is amended to read:

281.59 **(9)** (b) 1. Pledge the security, if any, required by the rules promulgated by the department of administration under this section and s. 281.58, 281.595, 281.60 or 281.61.

**SECTION 2511g.** 281.59 (11) (a) of the statutes is amended to read:

281.59 **(11)** (a) The department of natural resources and the department of administration may enter into a financial assistance agreement with an applicant for which the department of administration has allocated subsidy under s. 281.58 (9m), 281.595 (8), 281.60 (8) or 281.61 (8) if the applicant meets the conditions under sub. (9) and the other requirements under this section and s. 281.58, 281.595, 281.60 or 281.61.

**SECTION 2511i.** 281.59 (11) (b) of the statutes is amended to read:

281.59 **(11)** (b) If a municipality fails to make a principal repayment or interest payment after its due date, the department of administration shall place on file a certified statement of all amounts due under this section and s. 281.58, 281.595,

281.60 or 281.61. After consulting the department, the department of administration may collect all amounts due by deducting those amounts from any state payments due the municipality or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the fund to which they are due and notify the department of that action.

**SECTION 2511k.** 281.59 (11) (c) of the statutes is amended to read:

281.59 **(11)** (c) The department of administration may retain the last payment under a financial assistance agreement until the department of natural resources and the department of administration determine that the project is completed and meets the applicable requirements of this section and s. 281.58, 281.595, 281.60 or 281.61 and that the conditions of the financial assistance agreement are met.

**SECTION 2512.** 281.59 (12) of the statutes is amended to read:

281.59 **(12)** MUNICIPAL OBLIGATIONS. The department of administration may purchase or refinance obligations specified in s. 281.58 (6) (b) 1. ~~or 2.~~ and guarantee or purchase insurance for municipal obligations specified in s. 281.58 (6) (b) 3. if the department of administration and the department of natural resources approve the financial assistance under this section and s. 281.58.

**SECTION 2512e.** 281.59 (13s) of the statutes is amended to read:

281.59 **(13s)** POWERS. The department of administration may audit, or contract for audits of, projects receiving financial assistance under the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program.

**SECTION 2512g.** 281.59 (14) of the statutes is amended to read:

281.59 **(14)** RULES. The department of administration shall promulgate rules that are necessary for the proper execution of this section and of its responsibilities under ss. 281.58, 281.595, 281.60 and 281.61.

**SECTION 2512j.** 281.595 of the statutes is created to read:

**281.595 Urban storm water loan program. (1)** DEFINITIONS. In this section:

(a) "Local governmental unit" means a city, village, town, county, town sanitary district, public inland lake protection and rehabilitation district or metropolitan sewerage district.

(b) "Market interest rate" means the interest at the effective rate of a revenue obligation issued by this state to fund a loan or portion of a loan for a clean water fund program project under s. 281.58.

(c) "Population" means population shown by the last federal census or by any subsequent population estimate under s. 16.96.

(d) "Urban area" means any of the following:

1. An area with a population of 1,000 or more per square mile.

2. An area in which the land is used for industrial or commercial land uses.

3. An area that is surrounded by an area described in subd. 1. or 2.

(e) "Urban storm water loan program" means the program administered under this section, with financial management provided under s. 281.59.

**(2)** GENERAL. The department and the department of administration shall administer a program to provide financial assistance to local governmental units for the planning, designing, construction or modification of nonpoint source pollution and urban storm water runoff projects in urban areas.

**(2g)** INELIGIBLE USES. A local governmental unit may not use financial assistance under this section to pay any portion of the cost of a project for which financial assistance is provided under s. 281.65.

**(2r)** METHODS OF PROVIDING FINANCIAL ASSISTANCE. The following methods of providing financial assistance may be used under the urban storm water loan program:

(a) Making loans below the market interest rate for projects described in sub. (2).

(b) Purchasing or refinancing the obligation of a local governmental unit that was incurred to finance the cost of a project described in sub. (2).

(c) Guaranteeing, or purchasing insurance for, obligations incurred to finance the cost of projects described in sub. (2) if the guarantee or insurance will provide credit market access or reduce interest rates.

(d) Providing payments to the board of commissioners of public lands to reduce principal or interest payments, or both, on loans made to local governmental units under subch. II of ch. 24 by the board of commissioners of public lands for projects that are eligible for financial assistance under the urban storm water loan program.

**(3)** NOTICE OF INTENT TO APPLY. (a) A local governmental unit shall submit notice of its intent to apply for financial assistance under the urban storm water loan program at least 6 months before the beginning of the fiscal year in which it intends to receive the financial assistance. The notice shall be in a form prescribed by the department and the department of administration.

(b) If a local governmental unit does not apply for financial assistance by April 30 of the 2nd year following the year in which it submitted notice under par. (a), the local governmental unit shall submit a new notice under par. (a).

(c) The department may waive par. (a) or (b) upon the written request of a local governmental unit.

**(4)** ENGINEERING REPORT. A local governmental unit seeking financial assistance for a project under this section shall submit an engineering report, as required by the department by rule.

**(5)** APPLICATION. After the department approves a local governmental unit's engineering report submitted under sub. (4), the local governmental unit shall submit an application for urban storm water financial assistance to the department. The applicant shall submit the application before the April 30 preceding the beginning of the fiscal year in which the applicant wishes to receive the financial assistance. The application shall be in the form and include the information required by the department and the department of administration and shall include plans and specifications that are approvable by the department under this section. An applicant may not submit more than one application per project per year.

**(6)** PRIORITY LIST. The department shall establish a priority list that ranks each urban storm water loan program project. The department shall promulgate rules for determining project rankings that base project priority on the impact of a project on groundwater and surface water quality and on public health.

**(7)** APPROVAL OF APPLICATION. The department shall approve an application received under sub. (5) after all of the following occur:

(a) The project is ranked on the priority list under sub. (6).

(b) The department determines that the project meets the eligibility requirements under this section.

(c) The department of administration determines that the local governmental unit will meet the requirements of s. 281.59 (9) (b).

(d) The legislature has approved an amount under s. 281.59 (3v) (b) 1. for the biennium.

**(8)** FUNDING LIST; ALLOCATION OF FUNDING. (a) The department shall establish a funding list for each fiscal year that ranks projects of local governmental units that submit approvable applications under sub. (5) in the same order that they appear on the priority list under sub. (6). If sufficient funds are not available to fund all approved applications for financial assistance, the department of administration shall allocate funding to projects that are approved under sub. (7) in the order that they appear on the funding list.

(b) In allocating subsidy under this subsection, the department of administration shall adhere to the amount approved by the legislature for each biennium under s. 281.59 (3v) (b).

**(8m)** CONDITIONS OF FINANCIAL ASSISTANCE. As a condition of receiving financial assistance under the urban storm water loan program, a local governmental unit shall do all of the following:

(a) Establish a dedicated source of revenue for the repayment of the financial assistance.

(b) Comply with those provisions of 33 USC 1381 to 1387 and this chapter and ch. 283 and the regulations and rules promulgated under those provisions that the department specifies.

(c) Develop and adopt a program for the operation and maintenance of the nonpoint source pollution or storm water project, including the training of personnel, as required by the department.

**(8s)** INELIGIBILITY FOR AND LIMITATION ON FINANCIAL ASSISTANCE. (a) A person or municipality that has failed to substantially comply, as specified by the rules

promulgated under sub. (12), with the terms of a federal or state grant or loan used to pay the cost of studies, investigations, plans, designs or construction associated with implementing a nonpoint source control management program is not eligible for financial assistance from the urban storm water loan program.

(b) The amount of a payment under sub. (2r) (d) may not exceed the amount of subsidy necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the local governmental unit under sub. (2r) (a).

**(9)** FINANCIAL ASSISTANCE COMMITMENTS. The department and the department of administration may, at the request of a local governmental unit, issue a notice of financial assistance commitment after the local governmental unit's application for urban storm water financial assistance has been approved under sub. (7) and funding has been allocated under sub. (8) for the local governmental unit's project. The notice of financial assistance commitment shall specify the conditions that the local governmental unit must meet to secure financial assistance and shall include the estimated repayment schedules and other terms of the financial assistance.

**(10)** DEADLINE FOR CLOSING. If funding is allocated to a project under sub. (8) for a loan and the loan is not closed before April 30 of the year following the year in which funding is allocated, the department of administration shall release the funding allocated to the project.

**(11)** LOAN INTEREST RATES. (a) Except as provided under par. (b), the interest rate on an urban storm water loan program loan shall be 55% of market interest rate.

(b) The department and the department of administration jointly may request the joint committee on finance to take action under s. 13.101 (11) to modify the percentage of market interest under par. (a).

**(11m)** SERVICE FEE. The department and the department of administration may jointly charge and collect an annual service fee for reviewing and acting upon urban storm water loan program applications and servicing financial assistance agreements. The fee shall be in addition to interest payments at the rate under sub. (11). The department and the department of administration shall specify any fee in the biennial finance plan and shall design the fee to cover the costs of reviewing and acting upon urban storm water loan program applications and servicing financial assistance agreements.

**(12)** DUTIES OF THE DEPARTMENT. The department shall do all of the following:

(a) Promulgate rules establishing eligibility criteria for applicants and projects under this section.

(b) Promulgate rules that are necessary for the execution of its responsibilities under the urban storm water loan program.

(c) Cooperate with the department of administration in administering the urban storm water loan program.

(d) By May 1 of each even–numbered year, prepare and submit to the department of administration a biennial needs list that includes all of the following information:

1. A list of urban storm water projects that the department estimates will apply for financial assistance under the urban storm water loan program during the next biennium.

2. The estimated cost and estimated construction schedule of each project on the list, and the total of the estimated costs of all projects on the list.

3. The estimated rank of each project on the priority list under sub. (6).

(e) Submit a biennial budget request under s. 16.42 for the urban storm water loan program.

(f) Have the lead state role with the federal environmental protection agency concerning the urban storm water loan program.

(g) Have the lead state role with local governmental units in providing urban storm water loan program information, and cooperate with the department of administration in providing that information to local governmental units.

(h) Inspect periodically urban storm water loan program project construction to determine project compliance with construction plans and specifications approved by the department and the requirements of the urban storm water loan program.

**SECTION 2513.** 281.60 (1) (a) of the statutes is amended to read:

281.60 **(1)** (a) "Eligible applicant" means a political subdivision, a redevelopment authority created under s. 66.431 or a housing authority.

**SECTION 2514.** 281.60 (1) (c) of the statutes is repealed.

**SECTION 2515.** 281.60 (2) of the statutes is amended to read:

281.60 **(2)** GENERAL. The department and the department of administration may administer a program to provide financial assistance to eligible applicants for projects to remedy environmental contamination of sites or facilities at which environmental contamination has affected groundwater or surface water or threatens to affect groundwater or surface water. The department and the department of administration may provide financial assistance under this section to an eligible applicant only if the eligible applicant owns the contaminated site or facility or, if the applicant is a political subdivision, if a redevelopment authority or a housing authority owns the contaminated site or facility. The department and the department of administration may not provide financial assistance under this

section to remedy environmental contamination at a site or facility that is not a landfill if the eligible applicant caused the environmental contamination.

**SECTION 2516.** 281.60 (2r) (a) of the statutes is amended to read:

281.60 **(2r)** (a) Making loans ~~below the market interest rate~~ for projects described in sub. (2).

**SECTION 2517.** 281.60 (7) (c) of the statutes is amended to read:

281.60 **(7)** (c) The department of administration determines that the eligible applicant will meet the requirements of s. 281.59 (9) ~~(b)~~.

**SECTION 2518.** 281.60 (8s) of the statutes is created to read:

281.60 **(8s)** LIMITATION ON FINANCIAL ASSISTANCE. The amount of a payment under sub. (2r) (d) may not exceed the amount of subsidy necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the political subdivision under sub. (2r) (a).

**SECTION 2519.** 281.60 (11) of the statutes is amended to read:

281.60 **(11)** LOAN INTEREST ~~RATES~~. The <u>department and the department of administration may not charge</u> interest ~~rate~~ on a land recycling loan program loan ~~shall be 55% of market interest rate~~.

**SECTION 2520.** 281.60 (11m) of the statutes is amended to read:

281.60 **(11m)** SERVICE FEE. The department and the department of administration shall jointly charge and collect an annual service fee for reviewing and acting upon land recycling loan program applications and servicing financial assistance agreements. ~~The fee shall be in addition to interest payments at the rate under sub. (11).~~ For the 1997–99 fiscal biennium, the service fee shall be 0.5% of the loan balance. Fee amounts for later biennia shall be established in the biennial finance plan under s. 281.59 (3) (a) 8. The department and the department of

administration shall specify in the biennial finance plan a fee designed to cover the costs of reviewing and acting upon land recycling loan program applications and servicing financial assistance agreements.

**SECTION 2521.** 281.61 (8s) of the statutes is created to read:

281.61 **(8s)** LIMITATION ON FINANCIAL ASSISTANCE. The amount of a payment under sub. (2r) (d) may not exceed the amount of subsidy necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the local governmental unit under sub. (2r) (a).

**SECTION 2521e.** 281.65 (1) (d) of the statutes is amended to read:

281.65 **(1)** (d) Focus limited technical and financial resources in critical geographic locations ~~through the selection of priority lakes and priority watersheds~~ where nonpoint source related water quality problems <u>and threats</u> are the most severe and control is most feasible.

**SECTION 2521f.** 281.65 (4) (f) of the statutes is amended to read:

281.65 **(4)** (f) Administer the distribution of grants and aids to governmental units for local administration and implementation of the program under this section. A grant awarded under this section may be used for ~~technical assistance, educational and training assistance, ordinance development and administration,~~ cost–sharing for management practices and capital improvements, ~~plan preparation under par. (g),~~ easements or other activities determined by the department to satisfy the requirements of this section. A grant may not be used for promotional items, except for promotional items that are used for informational purposes, such as brochures or videos.

**SECTION 2521g.** 281.65 (4) (g) (intro.) of the statutes is amended to read:

281.65 **(4)** (g) (intro.) In cooperation with the department of agriculture, trade and consumer protection and the appropriate governmental unit, prepare priority watershed and priority lakes plans to implement nonpoint source water pollution abatement projects ~~and storm water control activities described in sub. (8c)~~ in priority watersheds and priority lake areas. In preparing the plans, the department shall:

**SECTION 2521i.** 281.65 (4) (j) of the statutes is repealed.

**SECTION 2521k.** 281.65 (4) (pm) of the statutes is amended to read:

281.65 **(4)** (pm) Jointly with the department of agriculture, trade and consumer protection, develop the forms required and implement the process under s. 92.14 (14).

**SECTION 2521m.** 281.65 (4) (t) of the statutes is repealed.

**SECTION 2521n.** 281.65 (4c) (a) of the statutes is amended to read:

281.65 **(4c)** (a) ~~Beginning on July 1, 1998, a~~ A governmental unit may request funding under this subsection for a project that is in a priority watershed ~~project, a~~ or priority lake ~~project~~ area or a ~~nonpoint source water pollution abatement~~ project that is not in a priority watershed or a priority lake area by submitting an application to the ~~board~~ department. An application shall be submitted before July 15 to be considered for initial funding in the following year.

**SECTION 2521ne.** 281.65 (4c) (ae) of the statutes is created to read:

281.65 **(4c)** (ae) The department shall administer this subsection in a manner that promotes the accelerated implementation of nonpoint source water pollution control that cannot be conducted with funding under s. 92.14 in target areas described in par. (am) 1. that are of the highest priority.

**SECTION 2521nm.** 281.65 (4c) (am) of the statutes is created to read:

281.65 **(4c)** (am) The department may select a project for funding under this subsection only if all of the following apply:

1. The project will implement nonpoint source pollution control in an area that is a target area based on any of the following:

a. The need for compliance with performance standards established by the department under s. 281.16 (2).

b. The existence of impaired water bodies that the department has identified to the federal environmental protection agency under 33 USC 1313 (d) (1) (A).

c. The existence of outstanding or exceptional resource waters, as designated by the department under s. 281.15.

d. The existence of threats to public health.

e. The existence of an animal feeding operation that has received a notice of discharge under ch. 283 or a notice of intent to issue a notice of discharge.

f. Other water quality concerns of national or statewide importance.

2. The project cannot be conducted with funding provided under s. 92.14.

3. The project is consistent with priorities identified by the department on a watershed or other geographic basis.

4. The project is consistent with approved land and water resource management plans under s. 92.10.

5. The application for the project specifies the watershed, subwatershed or specific site that will be served by the project.

**SECTION 2521np.** 281.65 (4c) (b) of the statutes is amended to read:

281.65 **(4c)** (b) The department~~, in consultation with the department of agriculture, trade and consumer protection,~~ shall use the system ~~approved~~ under par. ~~(e)~~ (d) to determine the score of each project for which ~~the board~~ it receives an

application under par. (a) and shall inform the land and water conservation board of the scores no later than September 1 of each year.

**SECTION 2521nr.** 281.65 (4c) (c) of the statutes is amended to read:

281.65 **(4c)** (c) After ~~receiving~~ determining project scores under par. (b) ~~and before~~, the department shall notify the land and water conservation board of the projects that the department proposes to select for funding in the following year. The board shall review the proposal and make recommendations to the department. Before November 1 of each year, the ~~board~~ department shall select projects for funding under this ~~section~~ subsection in the following year. To the extent practicable, within the requirements of this section, the ~~board~~ department shall select projects so that projects are distributed evenly around this state.

**SECTION 2521nt.** 281.65 (4c) (d) (intro.) of the statutes is amended to read:

281.65 **(4c)** (d) (intro.) ~~No later than April 1, 1998, the~~ The department~~, in consultation with the department of agriculture, trade and consumer protection,~~ shall ~~propose to the board~~ adopt a scoring system for ranking nonpoint source water pollution abatement projects for which applications are submitted under par. (a). The criteria on which the scoring system is based shall include all of the following:

**SECTION 2521nv.** 281.65 (4c) (e) of the statutes is repealed.

**SECTION 2521p.** 281.65 (4c) (f) of the statutes is created to read:

281.65 **(4c)** (f) A project funded under this subsection may be conducted over a period of one to 3 years, except that the department may approve an extension for one year.

**SECTION 2521q.** 281.65 (4e) of the statutes is repealed.

**SECTION 2524m.** 281.65 (8) (e) of the statutes is amended to read:

281.65 **(8)** (e) ~~Except as provided in sub. (8c), grants~~ Grants may only be used for implementing best management practices. Grants for implementing best management practices may only be used for implementing cost–effective best management practices specified under sub. (4) (e) unless an applicant demonstrates that the use of a cost–effective best management practice will not contribute to water quality improvement or will cause a water body to continue to be impaired as identified to the federal environmental protection agency under 33 USC 1313 (d) (1) (A).

**SECTION 2524s.** 281.65 (8) (k) of the statutes is repealed.

**SECTION 2525.** 281.65 (8) (L) of the statutes is amended to read:

281.65 **(8)** (L) A grant may not be made to an individual ~~if the department receives a certification under s. 49.855 (7) that the individual is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the individual provides to the department a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 2525e.** 281.65 (8c) of the statutes is repealed.

**SECTION 2525f.** 281.65 (8d) of the statutes is renumbered 281.66 (6) and amended to read:

281.66 **(6)** GRANTS FOR CAMPUSES. ~~The~~ Notwithstanding subs. (3) and (4), the department may distribute a grant to the board of regents of the University of Wisconsin System for practices, techniques or measures to control storm water discharges on a University of Wisconsin System campus that is located in a municipality that is required to obtain a permit under s. 283.33 and that is located

in a priority watershed ~~area~~, as defined in s. 281.65 (2) (c), a priority lake area, as defined in s. 281.65 (2) (bs), or an area that is identified as an area of concern by the International Joint Commission, as defined in s. 281.35 (1) (h), under the Great Lakes Water Quality Agreement.

**SECTION 2525g.** 281.66 of the statutes is created to read:

**281.66 Urban nonpoint source water pollution abatement and storm water management program. (1)** DEFINITIONS. In this section:

(a) "Governmental unit" has the meaning given in s. 281.65 (2) (am).

(b) "Nonpoint source" has the meaning given in s. 281.65 (2) (b).

(c) "Population" means population shown by the last federal census or by any subsequent population estimate under s. 16.96.

(d) "Structural urban best management practices" has the meaning given in s. 281.65 (2) (d).

(e) "Urban area" means any of the following:

1. An area with a population of 1,000 or more per square mile.

2. An area in which the land is used for industrial or commercial land uses.

3. An area that is surrounded by an area described in subd. 1. or 2.

**(2)** ADMINISTRATION. The department shall administer the program under this section in a manner that promotes all of the following:

(a) Management of urban storm water and runoff from existing and developing urban areas to achieve water quality standards, to minimize flooding and to protect groundwater.

(b) Coordination of urban nonpoint source management activities and the municipal storm sewer discharge permit program under s. 283.33.

(c) Implementation of nonpoint source performance standards under s. 281.16 (2).

**(3)** ELIGIBILITY. (a) The department may provide a cost–sharing grant for a project under this section only if all of the following apply:

1. The project is in an urban area.

2. The governmental unit with jurisdiction over the project area ensures adequate implementation of construction site pollution control, and of storm water management after development, for development and redevelopment of sites of one or more acres.

3. The project is consistent with nonpoint source performance standards under s. 281.16 (2).

4. The project is consistent with priorities identified by the department on a watershed or other geographic basis.

5. The application for the project specifies the watershed, subwatershed or specific site that will be served by the project.

(b) The department may provide financial assistance under this section for a project in a governmental unit either to that governmental unit or to another governmental unit that is required to control storm water discharges under s. 283.33.

**(4)** FINANCIAL ASSISTANCE. (a) The department may provide local assistance grants and cost–sharing grants under this section. A local assistance grant may not exceed 70% of eligible costs. A cost–sharing grant may not exceed 50% of eligible costs.

(b) The department may award a local assistance grant for any of the following:

1. Storm water management for urban areas and for areas that are expected to become urban areas within 20 years.

2. Informational and educational activities related to nonpoint source water pollution control, construction site erosion control or storm water management.

3. Development, administration and enforcement of a construction site erosion control or storm water management ordinance.

4. Training of staff concerning nonpoint source water pollution control, construction site erosion control or storm water management.

5. Other activities identified by the department by rule.

(c) The department may award a cost–sharing grant for any of the following types of projects:

1. Structural urban best management practices, including necessary land acquisition, storm sewer rerouting and removal of structures, and associated flood management, except that the department may not award a grant for structural urban best management practices associated with new construction or new development.

2. Stream bank or shoreland stabilization necessary to control pollution.

3. Other nonpoint source water pollution abatement or storm water management practices identified by the department by rule.

**(5)** SCORING SYSTEM. The department shall use a scoring system for ranking nonpoint source water pollution abatement and storm water management projects for which applications are submitted under this section. The criteria on which the scoring system is based shall include all of the following:

(a) The extent to which the application proposes to use the cost–effective and appropriate practices to achieve water quality goals.

(b) The existence in the project area of an impaired water body that the department has identified to the federal environmental protection agency under 33 USC 1313 (d) (1) (A).

(c) The extent to which the project will result in the attainment of established water quality objectives.

(d) The local interest in and commitment to the project.

(e) The inclusion of a strategy to evaluate the progress toward reaching project goals, including the monitoring of water quality improvements resulting from project activities.

(f). The extent to which the application proposes to use available federal funding.

(g). The extent to which the project is necessary to enable the city of Racine to control storm water discharges as required under 33 USC 1342 (p).

**SECTION 2525r.** 281.665 of the statutes is created to read:

**281.665 Municipal flood control and riparian restoration program. (1)** DEFINITIONS. In this section:

(a) "Conservation easement" has the meaning given in s. 700.40 (1) (a).

(b) "Local governmental unit" means a city, village, town or metropolitan sewerage district.

**(2)** ADMINISTRATION. The department shall administer the program under this section to provide financial assistance to local governmental units for facilities and structures for the collection and transmission of storm water and groundwater, including the purchase of perpetual flowage and conservation easement rights on land within floodways, and for the floodproofing of public and private structures that remain in the 100–year floodplain.

**(3)** ELIGIBLE APPLICANTS. (a) The department may provide a cost–sharing grant for a project that affects 2 or more local governmental units to one of the following:

1. One of the affected local governmental units upon application by all of the affected local governmental units.

2. A local governmental unit that has jurisdiction over the provision of storm water collection facilities for all of the affected local governmental units.

(c) The department may provide a cost–sharing grant for a project that affects one local governmental unit to that local governmental unit.

**(4)** FINANCIAL ASSISTANCE. (a) The department may provide local assistance grants and cost–sharing grants under this section. A local assistance grant may not exceed 70% of eligible costs, including planning and design costs. A cost–sharing grant may not exceed 70% of eligible costs for construction and real estate acquisition.

(b) In any fiscal year, the department may not provide to any applicant more than 20% of the funding available under this section in the fiscal year.

**(5)** ELIGIBILITY AND SCORING CRITERIA. (a) The department shall promulgate rules specifying eligibility criteria for projects under this section and for determining which eligible projects will receive financial assistance under this section.

(b) The department may not provide a cost–sharing grant for a project under this section if any of the following applies:

1. The project would transfer flooding downstream.

2. The project provides for the channelization of a stream or for lining a natural stream bed with concrete.

3. The project would accelerate upstream runoff.

(c) The department shall include all of the following in the criteria for determining which eligible projects will receive cost–sharing grants under this section:

1. The extent to which a project minimizes harm to existing beneficial functions of water bodies and wetlands.

2. The extent to which a project maintains aquatic and riparian environments.

3. The extent to which a project uses storm water retention and detention structures and natural storage.

4. The extent to which a project provides opportunity for public access to water bodies and to the floodway.

**SECTION 2526.** 281.68 (1) (intro.) of the statutes is amended to read:

281.68 **(1)** DEFINITIONS. (intro.) In this section~~, "qualified~~:

(b) "Qualified lake association" means a group incorporated under ch. 181 that meets all of the following conditions:

**SECTION 2527.** 281.68 (1) (a) to (h) of the statutes are renumbered 281.68 (1) (b) 1. to 8.

**SECTION 2528.** 281.68 (1) (ag) of the statutes is created to read:

281.68 **(1)** (ag) "Lake" includes a flowage.

**SECTION 2529.** 281.68 (1m) of the statutes is amended to read:

281.68 **(1m)** PURPOSES OF GRANTS. The department shall develop and administer a financial assistance program to provide lake management planning grants for projects to provide information and education on the use of lakes and natural lake ecosystems and on the quality of water in lakes~~, including mill ponds, in order to~~ and the quality of natural lake ecosystems.

**(1r)** USES OF GRANTS. Lake management planning grants shall be used to improve water quality assessment and planning and to aid in the selection of activities to ~~abate~~ do any of the following:

(a) Prevent pollution ~~of~~ from entering into lakes or into natural lake ecosystems.

**SECTION 2530.** 281.68 (1r) (b) of the statutes is created to read:

281.68 **(1r)** (b) Protect or improve the quality of water in lakes or the quality of natural lake ecosystems.

**SECTION 2531.** 281.68 (2) (title) of the statutes is created to read:

281.68 **(2)** (title) AMOUNT OF GRANTS.

**SECTION 2532.** 281.68 (3) (title) of the statutes is created to read:

281.68 **(3)** (title) RULES FOR GRANTS.

**SECTION 2533.** 281.68 (3) (b) of the statutes is renumbered 281.68 (3) (b) (intro.) and amended to read:

281.68 **(3)** (b) (intro.) Eligible activities, which shall include ~~data~~ all of the following for lakes and natural lake ecosystems:

1. Data collection~~, water quality assessment and nonpoint.~~

4. Nonpoint source pollution evaluation.

**SECTION 2534.** 281.68 (3) (b) 2. of the statutes is created to read:

281.68 **(3)** (b) 2. Assessments of water quality and of fish and aquatic life and their habitat.

**SECTION 2535.** 281.68 (3) (b) 3. of the statutes is created to read:

281.68 **(3)** (b) 3. Assessments of the uses of a lake and the uses of the land surrounding the lake.

**SECTION 2536.** 281.68 (3) (b) 5. of the statutes is created to read:

281.68 **(3)** (b) 5. Informational or educational programs and materials.

**SECTION 2537.** 281.68 (4) (title) of the statutes is created to read:

281.68 **(4)** (title) ELIGIBILITY FOR LAKE MANAGEMENT PLANNING GRANTS.

**SECTION 2538.** 281.69 (title) of the statutes is amended to read:

**281.69** (title) **Lake management and classification grants and contracts.**

**SECTION 2539.** 281.69 (1) (intro.) of the statutes is renumbered 281.69 (1m) (intro.) and amended to read:

281.69 **(1m)** TYPES OF PROJECTS. (intro.) The department shall develop and administer a financial assistance program to provide grants for the following ~~3~~ 2 types of projects:

**SECTION 2540.** 281.69 (1) (a) of the statutes is renumbered 281.69 (1m) (a) and amended to read:

281.69 **(1m)** (a) Lake management projects that will improve or protect the quality of water in lakes or the quality of natural lake ecosystems ~~of lakes~~.

**SECTION 2541.** 281.69 (1) (b) of the statutes is renumbered 281.69 (1m) (b).

**SECTION 2542.** 281.69 (1) (c) of the statutes is renumbered 281.69 (1r) and amended to read:

281.69 **(1r)** CONTRACTS. ~~Lake~~ The department may award contracts for lake classification technical assistance projects to be conducted by nonprofit corporations that will provide educational and technical assistance.

**SECTION 2543.** 281.69 (1b) of the statutes is created to read:

281.69 **(1b)** DEFINITION. In this section, "lake" includes a flowage.

**SECTION 2544.** 281.69 (2) (title) of the statutes is amended to read:

281.69 **(2)** (title) AMOUNTS OF GRANTS AND CONTRACTS.

**SECTION 2545.** 281.69 (2) (c) of the statutes is amended to read:

281.69 **(2)** (c) A ~~grant~~ contract for a lake classification technical assistance project may not exceed $200,000.

**SECTION 2546.** 281.69 (3) (a) of the statutes is amended to read:

281.69 **(3)** (a) A designation of eligible recipients, which shall include nonprofit conservation organizations, as defined in s. 23.0955 (1), counties, cities, towns, villages, qualified lake associations, as defined in s. 281.68 (1) (b), town sanitary districts, public inland lake protection and rehabilitation districts and other local governmental units, as defined in s. 66.299 (1) (a), that are established for the purpose of lake management.

**SECTION 2547.** 281.69 (3) (b) 1. of the statutes is amended to read:

281.69 **(3)** (b) 1. The purchase of land or of a conservation easement, as defined in s. 700.40 (1) (a), if the eligible recipient enters into a contract under ~~sub. (4)~~ s. 281.71 and if the purchase will substantially contribute to the protection or improvement of a lake's water quality or its natural ecosystem.

**SECTION 2548.** 281.69 (4) of the statutes is renumbered 281.71, and 281.71 (title), (1) (intro.) and (d), (2) (intro.) and (b), (3) and (5), as renumbered, are amended to read:

**281.71** (title) **Lake management project grants; river protection grants; purchases. (1)** (intro.) In order to receive a grant for a purchase under ~~sub.~~ s. 281.69 (3) (b) 1. or 281.70 (5) (c) 1., the recipient shall enter into a contract with the department that contains all of the following provisions:

(d) A clause that any subsequent sale or transfer of the property to be acquired is subject to ~~pars. (b) and (c)~~ subs. (2) and (3).

**(2)** (intro.) The recipient of the grant used for a purchase under ~~sub.~~ s. 281.69 (3) (b) 1. or 281.70 (5) (c) 1. may subsequently sell or transfer the acquired property to a 3rd party other than a creditor of the recipient if all of the following apply:

(b) The party to whom the property is sold or transferred enters into a new contract with the department that contains the provisions under ~~par. (a)~~ sub. (1).

**(3)** The recipient of the grant used for a purchase under ~~sub.~~ s. 281.69 (3) (b) 1. or 281.70 (5) (c) 1. may subsequently sell or transfer the acquired property to satisfy a debt or other obligation if the department approves the sale or transfer.

**(5)** The instrument conveying the property to the recipient shall state the interest of the state under ~~par. (d)~~ sub. (4). The contract entered into under ~~par. (a)~~ sub. (1) and the instrument of conveyance shall be recorded in the office of the register of deeds of each county in which the property is located.

**SECTION 2549.** 281.69 (6) (a) of the statutes is repealed.

**SECTION 2550.** 281.69 (6) (b) of the statutes is renumbered 281.69 (6) and amended to read:

281.69 **(6)** LAKE CLASSIFICATION TECHNICAL ASSISTANCE ~~GRANTS~~ CONTRACTS. A nonprofit corporation receiving a lake classification technical assistance ~~grant~~ contract shall provide educational and technical assistance to local units of government and lake management organizations that will participate in a lake classification project.

**SECTION 2551.** 281.70 of the statutes is created to read:

**281.70 River protection grants. (1)** DEFINITION. In this section, "river" includes a stream or a flowage.

**(2)** TYPES OF PROJECTS. The department shall develop and administer a financial assistance program to provide grants for planning projects and management projects.

**(3)** AMOUNTS OF GRANTS. (a) A grant for a planning project may be made for up to 75% of the cost of the project but may not exceed $10,000 per grant.

(b) A grant for a management project may be made for up to 75% of the cost of the project but may not exceed $50,000 per grant.

**(4)** ELIGIBLE RECIPIENTS. (a) All of the following shall be eligible for grants under this section:

1. Local governmental units, as defined in s. 66.299 (1) (a).

2. River management organizations that meet the qualifications under par. (b).

3. Nonprofit conservation organizations, as defined in s. 23.0955 (1).

(b) The department shall promulgate rules to establish the qualifications that a river management organization must meet to qualify for a grant under this section.

**(5)** ELIGIBLE ACTIVITIES. The department shall promulgate rules to do all of the following:

(a) Designate activities that are eligible for grants for planning projects. Eligible activities under the rules for these grants shall include all of the following:

1. Data collection.

2. Assessments of water quality and of fish and aquatic life and their habitat.

3. Assessments of the uses of a river and the uses of the land surrounding the river.

4. Nonpoint source pollution evaluation.

5. Informational or educational programs and materials as specified in par. (b).

6. Programs and materials to assist persons in forming river management organizations or other groups to protect or improve rivers and natural riverine ecosystems.

(b) For purposes of par. (a) 5., specify informational or educational materials that may be provided on any of the following:

1. Protecting or improving the ways in which rivers are used.

2. Protecting or improving the quality of water in rivers.

3. Protecting or improving the quality of natural riverine ecosystems.

4. Protecting or improving fish populations, aquatic life or fish habitat in rivers.

(c) Designate activities that are eligible for grants for management projects. Eligible activities under the rules for these grants shall include all of the following:

1. The purchase of land or of a conservation easement, as defined in s. 700.40 (1) (a) if the recipient enters into a contract under s. 281.71 and if the purchase will substantially contribute to the protection or improvement of the river's water quality or its natural ecosystem.

2. The restoration of in–stream or shoreline habitat.

3. The development of local regulations or ordinances that will protect or improve the river's water quality or its natural ecosystem.

4. An activity that is approved by the department and that is needed to implement a recommendation made as a result of a plan to protect or improve the river's water quality or its natural ecosystem.

5. Installation of pollution control practices.

**(6)** ELIGIBILITY; TYPES OF RIVERS. The department shall promulgate rules establishing the types of natural riverine ecosystems that are eligible for grants under this section.

**(7)** ELIGIBILITY; OTHER. At the completion of a planning project, upon request of the recipient of the grant for the planning project, the department may approve as eligible activities for a management project grant the recommendations that were made as a result of the project.

**SECTION 2551m.** 281.72 of the statutes is created to read:

**281.72 River protection; contracts with nonprofit organizations. (1)** DEFINITION. In this section, "nonprofit conservation organization" means a river management organization that meets the qualifications under s. 281.70 (4) (b) or a nonprofit corporation, a charitable trust or other nonprofit association whose purposes include the protection of rivers and that is described in section 501 (c) (3) of the Internal Revenue Code and is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

**(2)** REQUIREMENTS TO RECEIVE CONTRACTS. The department shall provide contracts to nonstock, nonprofit corporations that are described under section 501 (c) (3) or (4) of the Internal Revenue Code and that are organized in this state. For a nonstock, profit corporation to qualify for a contract, the corporation shall meet all of the following requirements:

(a) The corporation is exempt from taxation under section 501 (a) of the Internal Revenue Code.

(b) The corporation provides support to nonprofit conservation organizations.

(c) The corporation has a board of directors that has a majority of members who are representatives of nonprofit conservation organizations.

(d) The corporation contributes, to be used with the contract, $1 for every $3 it receives under the contract.

**(3)** REQUIREMENTS UNDER CONTRACTS. A corporation receiving a contract under this subsection shall do all of the following:

(a) Assist in the establishment of nonprofit conservation organizations.

(b). Provide technical assistance to nonprofit conservation organizations.

(c) Conduct conferences on topics for which technical assistance is provided under par. (b).

**SECTION 2554.** 285.01 (40) of the statutes is amended to read:

285.01 **(40)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

**SECTION 2554e.** 285.11 (18) of the statutes is created to read:

285.11 **(18)** Adopt and apply objective performance measurements, for the subunit of the department that administers this chapter, relating to the issuance of permits under subch. VII and to overall performance of the subunit.

**SECTION 2554f.** 285.17 (3) of the statutes is created to read:

285.17 **(3)** The department may not post on the Internet any information that is required to be reported to the department under this chapter and that relates to a facility's air emissions, including the nature and duration of specific emissions of

an air contaminant source and any results of monitoring the emissions of a contaminant source or the ambient air in the vicinity of a contaminant source, unless the department certifies that the information is accurate on the date on which the information is posted.

**SECTION 2555n.** 285.69 (2) (a) 1. of the statutes is amended to read:

285.69 **(2)** (a) 1. That fees collected in a year before 2002 are based on actual emissions of all regulated pollutants and any other air contaminant specified by the department in the rules in the preceding year.

**SECTION 2555q.** 285.69 (2) (a) 4. of the statutes is amended to read:

285.69 **(2)** (a) 4. That the fees collected in each year after 1994 and before 2002 are calculated by increasing the fees collected in the preceding year by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), increased in the preceding year.

**SECTION 2555s.** 285.69 (2) (a) 5. of the statutes is amended to read:

285.69 **(2)** (a) 5. That fees are not based on emissions by an air contaminant source in excess of ~~4,000~~ 5,000 tons per year of each regulated pollutant, except that, subject to par. (b), this limitation does not apply to a major utility, as defined in s. 285.41 (1) (f), that owns or operates a phase I affected unit as listed in Table A of 42 USC 7651c.

**SECTION 2555u.** 285.69 (2) (a) 7. to 11. of the statutes are created to read:

285.69 **(2)** (a) 7. That the fees billed for a stationary source in each year after 2001 are based on the fees billed for the stationary source in 2001.

8. That the fee billed for each stationary source in each year after 2001 is based on the actual emissions of all regulated pollutants, and any other air contaminant

specified by the department in the rules, in the preceding 5 years, using a 5–year rolling average.

9. That fees billed in years after 2001 are determined using a performance–based approach that increases a stationary source's fees in proportion to increases in the amount of pollutants emitted by the stationary source, as determined under subd. 8., and decreases a stationary source's fees in proportion to decreases in the amount of pollutants emitted by the stationary source, as determined under subd. 8.

10. That no multiplier or similar mechanism is used that would increase a stationary source's fees to compensate for decreases in overall amounts of emissions.

11. That no provision is used that would increase the fee per unit of pollutant emitted in order to compensate for decreases in overall amounts of emissions.

**SECTION 2555w.** 285.69 (2) (b) of the statutes is amended to read:

285.69 **(2)** (b) The department may not charge a major utility fees on emissions in excess of ~~4,000~~ 5,000 tons per year of each regulated pollutant beyond the amount necessary to recover the fees that would have been charged for any phase I affected unit listed in Table A of 42 USC 7651c owned by that major utility if the prohibition in par. (a) 6. did not exist.

**SECTION 2558.** 285.69 (3) of the statutes is amended to read:

285.69 **(3)** ASBESTOS INSPECTION FEES. The department may promulgate rules for the payment and collection of fees for inspecting nonresidential asbestos demolition and renovation projects regulated by the department. The fees under this subsection may not exceed ~~$200~~ $210 per project. The fees collected under this subsection shall be credited to the appropriation under s. 20.370 (2) (bi) for the direct

and indirect costs of conducting inspections of nonresidential asbestos demolition and inspection projects regulated by the department.

**SECTION 2559.** 285.86 of the statutes is created to read:

**285.86 Asbestos citations. (1)** The department may follow the procedures for the issuance of a citation under ss. 23.50 to 23.99 to collect a forfeiture from a person who commits a violation specified under sub. (2).

**(2)** The department shall promulgate rules that specify violations of rules relating to asbestos abatement and management that are promulgated under ss. 285.11, 285.13, 285.17 and 285.27 to which sub. (1) applies. In a rule promulgated under this subsection, the department may limit the applicability of sub. (1) based on the frequency of violation and on health and environmental risks caused by the violation.

**(3)** The department shall submit any proposed rules under sub. (2) to the department of justice. The department may not promulgate a rule under sub. (2) unless the rule is approved by the department of justice.

**SECTION 2560.** 287.11 (2) (dm) of the statutes is repealed.

**SECTION 2561.** 287.23 (5) (c) 2. of the statutes is amended to read:

287.23 **(5)** (c) 2. Except as provided in subd. ~~5.~~ 2m. or sub. (5e), for all other responsible units, the amount of the grant for 1993 through ~~2000~~ 2001 equals either 66% of the difference between eligible expenses and avoided disposal costs or 33% of eligible expenses, whichever is greater.

2m. If the amount determined under subd. 2. is greater than $8 times the population of the responsible unit, ~~whichever is less~~ the grant equals $8 times the population of the responsible unit.

**SECTION 2562.** 287.23 (5) (c) 5. of the statutes is repealed.

**SECTION 2563.** 287.23 (5e) of the statutes is amended to read:

287.23 **(5e)** PRORATION. If available funds are insufficient, under sub. (5) (c) ~~2.~~ 2m., to pay $8 times the population of all of the responsible units that are entitled to that amount, the department shall distribute the funds so that each responsible unit that would be entitled to $6 times its population if the per person amount in sub. (5) (c) ~~2.~~ 2m. were $6 receives $6 times its population and shall prorate the remaining funds.

**SECTION 2564.** 287.23 (7) of the statutes is amended to read:

287.23 **(7)** SUNSET. No grant may be awarded under this section for any year after the year ~~2000~~ 2001.

**SECTION 2568.** 289.01 (33) of the statutes is amended to read:

289.01 **(33)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

**SECTION 2569h.** 289.54 of the statutes is created to read:

**289.54 Disposal of certain dredged materials. (1)** In this section, "PCBs" has the meaning given in s. 299.45 (1) (a).

**(2)** The department may not approve a request by the operator of a solid waste disposal facility to accept dredged materials that contain PCBs or heavy metals in a concentration of less than 50 parts per million for disposal in the solid waste disposal facility until after the department holds a public meeting in the city, village or town in which the solid waste disposal facility is located. At the public meeting, the department shall describe the nature of the requested disposal and shall solicit public comment.

**SECTION 2569n.** 289.67 (2) (b) 1. and 2. of the statutes are amended to read:

289.67 **(2)** (b) 1. A generator of hazardous waste shall pay a base fee of ~~$125~~ $210 if the generator has generated more than zero pounds in that particular year, plus ~~$12~~ $20 per ton of hazardous waste generated during the reporting year.

2. No generator may pay a fee that is greater than ~~$10,000~~ $17,000.

**SECTION 2569r.** 291.09 (3) of the statutes is created to read:

291.09 **(3)** The department shall study whether the list of hazardous wastes under s. 291.05 (2) should be revised as it relates to commercial chemical products.

**SECTION 2570.** 292.11 (7) (d) 1m. of the statutes is created to read:

292.11 **(7)** (d) 1m. The department may negotiate and enter into an agreement containing a schedule for conducting nonemergency actions required under sub. (3) with a local governmental unit, as defined in sub. (9) (e) 1., that is acting on behalf of owners of contaminated property within one of the following:

a. A business improvement district, as defined in s. 66.608 (1) (b).

b. An area designated by the local governmental unit if the area consists of 2 or more properties affected by a contiguous region of groundwater contamination or contains 2 or more properties that are brownfields, as defined in s. 560.60 (1v).

**SECTION 2571.** 292.11 (7) (d) 2. of the statutes is amended to read:

292.11 **(7)** (d) 2. The department may charge fees, in accordance with rules that it promulgates, to offset the costs of negotiating and entering into an agreement under subd. 1. or 1m.

**SECTION 2572.** 292.11 (9) (e) 1. of the statutes is amended to read:

292.11 **(9)** (e) 1. ~~"Local~~ In this paragraph, "local governmental unit" means a municipality, a redevelopment authority created under s. 66.431, a public body designated by a municipality under s. 66.435 (4), a community development authority or a housing authority.

**SECTION 2573.** 292.11 (9) (e) 1m. (intro.) of the statutes is amended to read:

292.11 **(9)** (e) 1m. (intro.) ~~A~~ Except as provided in subds. 2., 4., 6. and 7., a local governmental unit is exempt from subs. (3), (4) and (7) (b) and (c) with respect to discharges of hazardous substances on or originating from property acquired by the local government unit before, on or after the effective date of this subdivision .... [revisor inserts date], if any of the following applies:

**SECTION 2574.** 292.11 (9) (e) 1m. b. of the statutes is amended to read:

292.11 **(9)** (e) 1m. b. The local governmental unit acquired the property from a local governmental unit that ~~acquired~~ is exempt under this subdivision with respect to the property ~~under a method described in subd. 1m. a~~.

**SECTION 2575.** 292.11 (9) (e) 1m. e. of the statutes is created to read:

292.11 **(9)** (e) 1m. e. The local governmental unit acquired the property through escheat.

**SECTION 2576.** 292.11 (9) (e) 1m. f. of the statutes is created to read:

292.11 **(9)** (e) 1m. f. The local governmental unit acquired the property using funds appropriated under s. 20.866 (2) (tz).

**SECTION 2577.** 292.11 (9) (e) 1s. of the statutes is amended to read:

292.11 **(9)** (e) 1s. ~~An~~ Except as provided in subds. 2. and 4. to 6., an economic development corporation described in section 501 (c) of the Internal Revenue Code, as defined in s. 71.22 (4), that is exempt from federal taxation under section 501 (a) of the Internal Revenue Code, or an entity wholly owned and operated by such a corporation, is exempt from subs. (3), (4) and (7) (b) and (c) with respect to property acquired before, on or after October 14, 1997, if the property is acquired to further the economic development purposes that qualify the corporation as exempt from federal taxation.

**SECTION 2578.** 292.11 (9) (e) 3. of the statutes is repealed.

**SECTION 2579.** 292.11 (9) (e) 5. c. of the statutes is repealed.

**SECTION 2580.** 292.11 (9) (e) 6. of the statutes is created to read:

292.11 **(9)** (e) 6. Subdivisions 1m. and 1s. only apply if the local governmental unit or the economic development corporation agrees to allow the department, any authorized representatives of the department, any party that possessed or controlled the hazardous substance or caused the discharge of the hazardous substance and any consultant or contractor of such a party to enter the property to take action to respond to the discharge.

**SECTION 2581.** 292.11 (9) (e) 7. of the statutes is created to read:

292.11 **(9)** (e) 7. Subdivision 1m. does not apply to property described in subd. 1m. f. unless the local governmental unit enters into an agreement with the department to ensure that the conditions in subds. 2. and 4. are satisfied.

**SECTION 2582.** 292.15 (1) (a) of the statutes is created to read:

292.15 **(1)** (a) "Enforcement standard" has the meaning given in s. 160.01 (2).

**SECTION 2583.** 292.15 (1) (am) of the statutes is created to read:

292.15 **(1)** (am) "Natural attenuation" means the reduction in the mass and concentration in groundwater of a substance, and the products into which the substance breaks down, due to naturally occurring physical, chemical and biological processes, without human intervention.

**SECTION 2584.** 292.15 (1) (f) of the statutes is repealed and recreated to read:

292.15 **(1)** (f) "Voluntary party" means a person who submits an application to obtain an exemption under this section and pays any fees required under sub. (5).

**SECTION 2585.** 292.15 (2) (a) (title) of the statutes is created to read:

292.15 **(2)** (a) (title) *General.*

**SECTION 2586.** 292.15 (2) (a) (intro.) of the statutes is amended to read:

292.15 **(2)** (a) (intro.) Except as provided in sub. (6) or (7), a voluntary party is exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to ~~the existence~~ discharges of ~~a~~ hazardous ~~substance~~ substances on ~~the~~ or originating from a property, if the release of those hazardous substances occurred prior to the date on which the department approves the environmental investigation of the property under subd. 1. and if all of the following occur at any time before or after the date of acquisition:

**SECTION 2587.** 292.15 (2) (a) 2. of the statutes is amended to read:

292.15 **(2)** (a) 2. Except as provided in sub. (4), the ~~property is cleaned up by restoring the~~ environment is restored to the extent practicable with respect to the discharges and ~~minimizing~~ the harmful effects from ~~a discharge of the hazardous substance~~ the discharges are minimized in accordance with rules promulgated by the department and any contract entered into under those rules.

**SECTION 2588.** 292.15 (2) (a) 3. of the statutes is amended to read:

292.15 **(2)** (a) 3. The voluntary party obtains a certificate of completion from the department that the ~~property~~ environment has been satisfactorily restored to the extent practicable with respect to the discharges and that the harmful effects from ~~a discharge of a hazardous substance~~ the discharges have been minimized.

**SECTION 2589.** 292.15 (2) (a) 6. of the statutes is amended to read:

292.15 **(2)** (a) 6. The voluntary party has not obtained the ~~certification under subd. 3.~~ certificate of completion by fraud or misrepresentation, by the knowing failure to disclose material information or under circumstances in which the voluntary party knew or should have known about more discharges of hazardous substances than were revealed by the investigation conducted under subd. 1.

**SECTION 2591.** 292.15 (2) (ae) of the statutes is created to read:

292.15 **(2)** (ae) *Natural attenuation.* Except as provided in sub. (6) or (7), if there exists a hazardous substance in groundwater on or originating from a property in a concentration that exceeds an enforcement standard and the department determines that natural attenuation will restore groundwater quality in accordance with rules promulgated by the department, a voluntary party is exempt from ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to discharges of hazardous substances on or originating from the property, if the release of those hazardous substances occurred prior to the date on which the department approves the environmental investigation of the property under subd. 1. and if all of the following occur at any time before or after the date of acquisition:

1. An environmental investigation of the property is conducted that is approved by the department.

2. The environment is restored to the extent practicable with respect to the discharges and the harmful effects from the discharges are minimized in accordance with rules promulgated by the department and any contract entered into under those rules, except that this requirement does not apply with respect to the hazardous substance in groundwater that the department has determined will be brought into compliance with rules promulgated by the department through natural attenuation.

3. The voluntary party obtains a certificate of completion from the department stating that the environment has been satisfactorily restored to the extent practicable with respect to the discharges and that the harmful effects from the discharges have been minimized, except with respect to the hazardous substance in groundwater that the department has determined will be brought into compliance with rules promulgated by the department through natural attenuation.

3m. If required by the department, the voluntary party obtains and maintains insurance to cover the costs of complying with s. 292.11 (3) with respect to the hazardous substance that the department has determined will be brought into compliance with rules promulgated by the department through natural attenuation, in case natural attenuation fails, and the insurance complies with rules promulgated by the department and names this state as the insured.

4. The voluntary party maintains and monitors the property as required under rules promulgated by the department and any contract entered into under those rules.

5. The voluntary party does not engage in activities that are inconsistent with the maintenance of the property.

6. The voluntary party has not obtained the certification under subd. 3. by fraud or misrepresentation, by the knowing failure to disclose material information

or under circumstances in which the voluntary party knew or should have known about more discharges of hazardous substances than were revealed by the investigation conducted under subd. 1.

**SECTION 2592.** 292.15 (2) (ag) of the statutes is created to read:

292.15 **(2)** (ag) *Property affected by off–site discharge.* Except as provided in sub. (6) or (7), for a property on which there exists a hazardous substance for which a voluntary party is exempt from liability under s. 292.13 (1), a voluntary party is exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to discharges of hazardous substances on or originating from the property, if the release of those hazardous substances occurred prior to the date on which the department approves the environmental investigation of the property under par. (a) 1., if par. (a) 1. and 4. to 6. apply and all of the following occur at any time before or after the date of acquisition:

1. The environment is restored to the extent practicable with respect to the discharges and the harmful effects from the discharges are minimized in accordance with rules promulgated by the department and any contract entered into under those rules, except that this requirement does not apply with respect to the hazardous substance for which the voluntary party is exempt from liability under s. 292.13 (1).

2. The voluntary party obtains a certificate of completion from the department stating that the environment has been satisfactorily restored to the extent practicable with respect to the discharges and that the harmful effects from the discharges have been minimized, except with respect to the hazardous substance for which the voluntary party is exempt from liability under s. 292.13 (1).

3. The voluntary party obtains a written determination from the department under s. 292.13 (2) with respect to the hazardous substance for which the voluntary party is exempt from liability under s 292.13 (1).

4. The voluntary party continues to satisfy the conditions under s. 292.13 (1) (d) to (g).

**SECTION 2593.** 292.15 (2) (am) (intro.) of the statutes is amended to read:

292.15 **(2)** (am) *Partial cleanup.* (intro.) The department may approve a partial cleanup and issue a certificate of completion as provided in par. (a), (ae) or (ag) that states that not all of the property has been satisfactorily restored or that not all of the harmful effects from a discharge of a hazardous substance have been minimized. Approval of a partial cleanup exempts a voluntary party from ss. 291.37 (2) and 292.11 (3), (4) and (7) (b) and (c) with respect to the portion of the property or hazardous substances cleaned up under this paragraph. In addition to meeting the requirements of par. (a), (ae) or (ag), a certificate for a partial cleanup under this paragraph may be issued only if:

**SECTION 2594.** 292.15 (2) (ar) (title) of the statutes is created to read:

292.15 **(2)** (ar) (title) *Condition.*

**SECTION 2595.** 292.15 (2) (at) of the statutes is created to read:

292.15 **(2)** (at) *Discharges discovered after environmental investigations.* Except as provided in sub. (6) or (7), a voluntary party is exempt from ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to a discharge of a hazardous substance on or originating from a property if the discharge occurred before the environmental investigation under subd. 1. is completed and if all of the following apply:

1. An environmental investigation of the property and of any discharges of hazardous substances originating from the property is conducted and is approved by the department.

2. If required by the department, the voluntary party enters into an agreement with the department under which the voluntary party agrees to conduct a cleanup approved by the department.

3. The voluntary party obtains and maintains insurance to cover the costs of complying with s. 292.11 (3) with respect to a hazardous substance discharges that occurred before the investigation under subd. 1. is completed and that are discovered in the course of conducting a cleanup of the property, the insurance complies with rules promulgated by the department and the insurance names the voluntary party and this state as insureds.

3m. If the department requires the voluntary party to enter into an agreement under subd. 2., the voluntary party conducts the agreed upon cleanup.

4. A hazardous substance discharge that occurred before the investigation under subd. 1. is completed is discovered after the investigation under subd. 1. is approved and before the cleanup is completed.

6. The voluntary party has not obtained approval of the investigation under subd. 1. or the agreement under subd. 2. by fraud or misrepresentation, by the knowing failure to disclose material information or under circumstances in which the voluntary party knew or should have known about more discharges of hazardous substances than were revealed by the investigation conducted under subd. 1.

**SECTION 2596.** 292.15 (2) (b) of the statutes is amended to read:

292.15 **(2)** (b) *Extent of exemptions.* The exemptions provided in pars. (a), (ae), (ag) and (am) continue to apply after the date of certification by the department

under par. (a) 3., (ae) 3. or (ag) 2., or approval by the department under par. (am), notwithstanding the occurrence of any of the following:

1. Statutes, rules or regulations are created or amended that would impose greater responsibilities on the voluntary party than those imposed under par. (a) 2., (ae) 2. or (ag) 1.

2. The voluntary party fully complies with the rules promulgated by the department and any contract entered into under those rules under par. (a) 2., (ae) 2. or (ag) 1. but it is discovered that the cleanup fails to fully restore the environment and minimize the effects from a discharge of a hazardous substance.

3. The contamination from a hazardous substance that is the subject of the cleanup under par. (a) 2., (ae) 2. or (ag) 1. is discovered to be more extensive than anticipated by the voluntary party and the department.

**SECTION 2597.** 292.15 (2) (c) (title) of the statutes is created to read:

292.15 **(2)** (c) (title) *Prohibition on action.*

**SECTION 2598.** 292.15 (2) (c) of the statutes is amended to read:

292.15 **(2)** (c) The department of justice may not commence an action under 42 USC 9607 against any voluntary party meeting the criteria of this subsection to recover costs for which the voluntary party is exempt under pars. (a), (*ac*), (ag), (am), (at) and (b).

**SECTION 2599.** 292.15 (2) (d) (title) of the statutes is created to read:

292.15 **(2)** (d) (title) *Exception.*

**SECTION 2600.** 292.15 (2) (e) of the statutes is created to read:

292.15 **(2)** (e) *Contract with insurer.* If the department requires insurance under par. (ae) 3m. or (at) 3., the department may contract with an insurer to provide

insurance required under par. (ae) 3m. or (at) 3. and may require voluntary parties to obtain coverage under the contract.

**SECTION 2601.** 292.15 (3) of the statutes is amended to read:

292.15 **(3)** SUCCESSORS AND ASSIGNS. ~~The~~ An exemption provided in sub. (2) applies to any successor or assignee of the voluntary party ~~who qualifies as a voluntary party and who~~ if the successor or assignee complies with the provisions of sub. (2) (a) 4. and 5. ~~unless~~ or (ae) 3m., 4. and 5. and, if applicable, sub. (2) (ag) 4. or (am) as though the successor or assignee were the voluntary party except that the exemption in sub. (2) does not apply if the successor or assignee knows that a certificate under sub. (2) (a) 3., (ae) 3., (ag) 12. or (am) was obtained by any of the means or under any of the circumstances specified in sub. (2) (a) 6.

**SECTION 2602.** 292.15 (4) (intro.) of the statutes is amended to read:

292.15 **(4)** LIMITED RESPONSIBILITY. (intro.) The responsibility of a voluntary party under sub. (2) (a) 2. may be monetarily limited by agreement between the voluntary party and the department if the voluntary party purchased the property from a local governmental unit that acquired the property in a way or for a purpose described in s. 292.11 (9) (e) 1m. ~~a., b., c. or d.~~ The agreement shall stipulate all of the following:

**SECTION 2603.** 292.15 (5m) of the statutes is repealed.

**SECTION 2604.** 292.15 (6) of the statutes is renumbered 292.15 (6) (a) and amended to read:

292.15 **(6)** (a) This section does not exempt property from any lien filed under s. 292.81 (3) for costs incurred by the department prior to the date that certification is issued under sub. (2) (a) 3., (ae) 3. or (ag) 2.

**SECTION 2605.** 292.15 (6) (b) of the statutes is created to read:

292.15 **(6)** (b) This section does not exempt property from any lien filed under s. 292.81 (3) for costs that are incurred by the department with respect to a hazardous substance discharge described in sub. (2) (at) 3. and that are not covered by insurance required by sub. (2) (at) 3.

**SECTION 2606.** 292.21 (1) (c) 1. b. of the statutes is repealed.

**SECTION 2607.** 292.21 (1) (c) 1. g. of the statutes is created to read:

292.21 **(1)** (c) 1. g. The lender agrees to allow the department, any authorized representatives of the department, any party that possessed or controlled the hazardous substance or caused the discharge of the hazardous substance and any consultant or contractor of such a party to enter the real property to take action to respond to the discharge.

**SECTION 2608.** 292.21 (1) (c) 1. h. of the statutes is created to read:

292.21 **(1)** (c) 1. h. The lender agrees to avoid any interference with action undertaken to respond to the discharge and to avoid actions that worsen the discharge.

**SECTION 2609.** 292.21 (1) (c) 1. i. of the statutes is created to read:

292.21 **(1)** (c) 1. i. The lender agrees to any other condition that the department determines is reasonable and necessary to ensure that the department or other person described in subd. 1. g. can adequately respond to the discharge.

**SECTION 2610.** 292.24 of the statutes is created to read:

**292.24 Responsibility of local governmental units; hazardous waste.** **(1)** DEFINITION. In this section, "local governmental unit" has the meaning given in s. 292.11 (9) (e) 1.

**(2)** EXEMPTION FROM LIABILITY. Except as provided in sub. (3), a local governmental unit is exempt from ss. 291.25 (1) to (5), 291.29 and 291.37, and rules

promulgated under those provisions, with respect to the existence of a hazardous waste discharge on property acquired in a way or for a purpose described in s. 292.11 (9) (e) 1m., if all of the following occur at any time before or after the date of acquisition:

(a) An environmental investigation of the property is conducted that is approved by the department and that identifies any hazardous waste discharges that occurred on the property.

(b) The hazardous waste discharges identified by the investigation under par. (a) are cleaned up by restoring the environment to the extent practicable with respect to the discharges and minimizing the harmful effects from the discharges in accordance with rules promulgated by the department and any contract entered into under those rules.

(c) The local governmental unit obtains an approval from the department stating that the property has been satisfactorily restored to the extent practicable with respect to the hazardous waste discharges and that the harmful effects from the discharges have been minimized.

(d) The local governmental unit maintains and monitors the property as required under rules promulgated by the department and any contract entered into under those rules.

(e) The local governmental unit does not engage in activities that are inconsistent with the maintenance of the property.

(f) The local governmental unit has not obtained the certification under par. (c) by fraud or misrepresentation, by the knowing failure to disclose material information or under circumstances in which the local governmental unit knew or

should have known about more discharges of hazardous waste than were revealed by the investigation conducted under par. (a).

(g) The local governmental unit did not cause the discharge of any hazardous waste identified on the property.

**(3)** APPLICABILITY. Subsection (2) does not apply to any of the following:

(a) A hazardous waste treatment, storage or disposal facility that first begins operation after the date on which the local governmental unit acquired the property.

(b) A licensed hazardous waste treatment, storage or disposal facility operated on the property before the date on which the local governmental unit acquired the property and that is operated after the date on which the local governmental unit acquired the property.

(c) Any hazardous waste disposal facility that has been issued a license under s. 144.441 (2), 1995 stats., or s. 289.41 (1m), or rules promulgated under those sections, for a period of long–term care following closure of the facility.

**SECTION 2611.** 292.25 of the statutes is created to read:

**292.25 Report on impact of exemptions from liability. (1)** The department shall biennially determine all of the following:

(a) The number of sites for which a person is seeking to qualify for an exemption under s. 292.15.

(b) The number of sites for which a certificate of completion was issued under s. 292.15.

(c) The number of sites for which a certificate of completion was issued under s. 292.15 at which it is discovered that the cleanup failed or at which additional hazardous substances are found after the certificate of completion was issued.

(d) The number of sites described in par. (b) at which the department has determined that it is necessary to conduct remedial action using moneys from the environmental fund and the estimated costs of performing that remedial action.

(e) The number of sites for which a claim was made against an insurance policy required under s. 292.15.

**(2)** No later than September 15 of each even–numbered year, the department shall submit a report describing its determinations under sub. (1) to the legislature under s. 13.172 (2), to the governor and to the department of administration.

**(3)** The department may require a person to provide information necessary for the department to make the determinations under sub. (1).

**SECTION 2611d.** 292.255 of the statutes is created to read:

**292.255 Report on brownfield efforts.** On or before June 30 annually, the department of natural resources, the department of administration, the department of commerce, the department of revenue and the department of transportation shall submit a report to the appropriate standing committees of the legislature under s. 13.172 (3) and to the joint committee on finance evaluating the effectiveness of this state's efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. 560.60 (1v).

**SECTION 2612.** 292.33 of the statutes is created to read:

**292.33 Local government cost recovery cause of action. (1)** DEFINITION. In this section "local governmental unit" has the meaning given in s. 292.11 (9) (e) 1.

**(2)** CAUSE OF ACTION. Except as provided in sub. (6), a local governmental unit may recover costs as provided in sub. (4) from a responsible person described in sub.

(3) if the costs are incurred in connection with a property acquired as provided in s. 292.11 (9) (e) 1m. on which a hazardous substance has been discharged.

**(3)** RESPONSIBLE PERSONS. (a) Except as provided in par. (b), a local governmental unit may recover costs in an action under this section from any of the following:

1. A person who, at the time that the local governmental unit acquired the property, possessed or controlled the hazardous substance that was discharged on the property.

2. A person who caused the discharge of the hazardous substance on the property.

(b) A local governmental unit may not recover costs in an action under sub. (2) from a person described in par. (a) if the person qualifies for an exemption under s. 292.11 (9) (e), 292.13, 292.15, 292.16, 292.19 or 292.21 with respect to the discharge that is the subject of the action.

**(4)** RECOVERABLE COSTS. (a) Except as provided in par. (b), in an action under this section a local governmental unit may recover the reasonable and necessary costs that it incurs for all of the following:

1. Investigating environmental contamination on the property and planning remedial activities described in subd. 2.

2. Conducting remedial activities to restore the property for its intended future use.

3. Administering the activities under subds. 1. and 2. and bringing the action under this section, including costs, disbursements and engineering fees but excluding attorney fees.

(b) The costs determined under par. (a) shall be reduced by the fair market value of the property after completion of the activities under par. (a) 2.

(c) Recoverable costs under this subsection may not be reduced by the amount of any state or federal moneys received by the local governmental unit for any of the activities under par. (a).

(d) 1. In an action under this section, the liability of a responsible person described in sub. (3) (a) 2. is limited to the amount that bears the same proportion to the total costs under par. (a), adjusted as provided in par. (b), as the amount of the environmental pollution on the property from the discharge caused by the responsible person bears to all of the environmental pollution on the property from discharges of hazardous substances.

2. In an action under this section, the liability of a responsible person described in sub. (3) (a) 1. is limited to the amount of the total costs under par. (a), adjusted as provided in par. (b), that the local governmental unit is unable to recover from responsible parties described in sub. (3) (a) 2.

**(5)** REPAYING STATE ASSISTANCE. If a local governmental unit that recovers costs under this section received money from this state, other than under s. 292.11 (7) or 292.31 (1), (3) or (7), for any of the activities under sub. (4) (a), the local governmental unit shall reimburse to the state an amount that bears the same proportion to the total amount recovered under this section as the amount received from the state, other than under s. 292.11 (7) or 292.31 (1), (3) or (7), bears to the total costs under sub. (4) (a) adjusted as provided in sub. (4) (b).

**(6)** EXCEPTION. A local governmental unit may not recover costs under this section for remedial activities conducted on a property or portion of a property with respect to a discharge after the department of natural resources, the department of

commerce or the department of agriculture, trade and consumer protection has indicated that no further remedial activities are necessary on the property or portion of the property with respect to the discharge.

**(7)** LIMITATION OF ACTION. An action under this section shall be commenced within 6 years after the date that the local governmental unit completes the activities under sub. (4) (a) 2. or be barred.

**SECTION 2613.** 292.57 of the statutes is created to read:

**292.57 Database of properties on which groundwater standards are exceeded. (1)** In this section, "groundwater standard" means an enforcement standard, as defined in s. 160.01 (2), or a preventive action limit, as defined in s. 160.01 (6).

**(2)** (a) The department may promulgate a rule specifying a fee for placing information concerning a property on which a groundwater standard is exceeded into a database.

(b) Any moneys collected under this subsection shall be credited to the appropriation account under s. 20.370 (2) (mi).

**SECTION 2614.** 292.65 (1) (d) 9. of the statutes is created to read:

292.65 **(1)** (d) 9. A formal wear rental firm.

**SECTION 2614e.** 292.65 (1) (ek) of the statutes is created to read:

292.65 **(1)** (ek) "Formal wear" includes tuxedos, suits and dresses, but does not include costumes, table linens and household fabrics.

**SECTION 2614g.** 292.65 (1) (em) of the statutes is created to read:

292.65 **(1)** (em) "Formal wear rental firm" means a facility that rents formal wear to the general public and dry cleans only the formal wear that it rents to the general public.

**SECTION 2615.** 292.65 (1) (h) 3. of the statutes is created to read:

292.65 **(1)** (h) 3. A person who operated a dry cleaning facility that ceased operating before October 14, 1997.

**SECTION 2616.** 292.65 (1) (i) 1. of the statutes is renumbered 292.65 (1) (i) 1. (intro.) and amended to read:

292.65 **(1)** (i) 1. (intro.) A person who owns, or has possession or control of, ~~a dry cleaning facility, or~~ and who receives or received direct or indirect consideration from the operation of ~~a dry cleaning facility regardless of whether the dry cleaning facility remains in operation and regardless of whether the person owns or receives consideration at the time that environmental pollution occurs.~~, any of the following:

**SECTION 2617.** 292.65 (1) (i) 1. a. of the statutes is created to read:

292.65 **(1)** (i) 1. a. A dry cleaning facility that is licensed under s. 77.9961 (2).

**SECTION 2618.** 292.65 (1) (i) 1. b. of the statutes is created to read:

292.65 **(1)** (i) 1. b. A dry cleaning facility that has ceased operation but that, if it ceased operation on or after October 14, 1997, was licensed under s. 77.9961 (2) before it ceased operation.

**SECTION 2619.** 292.65 (1) (i) 3. of the statutes is created to read:

292.65 **(1)** (i) 3. A person who owns the property on which one of the following is located:

a. A dry cleaning facility that is licensed under s. 77.9961 (2).

b. A dry cleaning facility that has ceased operation but that was licensed under s. 77.9961 (2) before it ceased operation.

**SECTION 2620.** 292.65 (1) (L) of the statutes is amended to read:

292.65 **(1)** (L) "Service provider" means a consultant, testing laboratory, monitoring well installer, soil boring contractor, other contractor~~, lender~~ or any other

person who provides a product or service for which an application for reimbursement has been or will be filed under this section, or a subcontractor of such a person.

**SECTION 2621.** 292.65 (3) (am) 2. of the statutes is amended to read:

292.65 **(3)** (am) 2. The department shall pay an award for immediate action activities. ~~For the purposes of this subdivision, removal of contaminated soils and recovery of free dry cleaning solvent are not considered immediate action activities.~~

**SECTION 2622.** 292.65 (3) (am) 3. of the statutes is repealed and recreated to read:

292.65 **(3)** (am) 3. After paying awards for immediate action activities, the department shall do the following with the remaining funds available for awards under this section:

a. In the program year that begins on July 1, 1999, provide 75% to pay awards for eligible costs incurred before October 14, 1997, and provide 25% to pay awards for eligible costs incurred on or after October 14, 1997.

b. In the program year that begins on July 1, 2000, provide 50% to pay awards for eligible costs incurred before October 14, 1997, and provide 50% to pay awards for eligible costs incurred on or after October 14, 1997.

c. In the program year that begins on July 1, 2001, and every program year thereafter, provide at least 70% as awards to pay eligible costs incurred on or after October 14, 1997.

**SECTION 2627.** 292.65 (4) (m) of the statutes is created to read:

292.65 **(4)** (m) *Notification of insurance claims and receipt of proceeds.* An owner or operator shall notify the department of any insurance claim made to cover eligible costs, the status of the claim, and, if the owner or operator has received any insurance proceeds arising from the claim, the amount of the proceeds.

**SECTION 2628.** 292.65 (4) (n) of the statutes is created to read:

292.65 **(4)** (n) *Notification of intent to file suit.* An owner or operator shall notify the department of the owner's or operator's intent to file suit against an insurance company for the purpose of recovering the proceeds of an insurance policy intended to cover any eligible costs.

**SECTION 2629.** 292.65 (6) of the statutes is repealed.

**SECTION 2631.** 292.65 (7) (a) 16. of the statutes is repealed.

**SECTION 2632.** 292.65 (7) (b) of the statutes is repealed.

**SECTION 2634.** 292.65 (7) (c) 6. of the statutes is created to read:

292.65 **(7)** (c) 6. Costs of financing eligible activities.

**SECTION 2636.** 292.65 (8) (a) 4m. of the statutes is created to read:

292.65 **(8)** (a) 4m. If the owner or operator receives any proceeds arising from an insurance claim for any eligible costs, a record of the payment.

**SECTION 2636g.** 292.65 (8) (d) 8. of the statutes is amended to read:

292.65 **(8)** (d) 8. The dry cleaning solvent discharge was caused by a person who provided services or products to the owner or operator or to a prior owner or operator of the dry cleaning facility<u>, including a person who provided perchloroethylene to the owner or operator or prior owner or operator of a dry cleaning facility using a system other than a closed, direct–coupled delivery system</u>.

**SECTION 2637.** 292.65 (8) (e) 3a. of the statutes is repealed and recreated to read:

292.65 **(8)** (e) 3a. If eligible costs are $200,000 or less, $10,000.

**SECTION 2638.** 292.65 (8) (e) 3am. of the statutes is created to read:

292.65 **(8)** (e) 3am. If eligible costs exceed $200,000 but do not exceed $400,000, $10,000 plus 8% of the amount by which eligible costs exceed $200,000.

**SECTION 2639.** 292.65 (8) (e) 3ar. of the statutes is created to read:

292.65 **(8)** (e) 3ar. If eligible costs exceed $400,000, $26,000 plus 10% of the amount by which eligible costs exceed $400,000.

**SECTION 2640.** 292.65 (8) (e) 3b. of the statutes is amended to read:

292.65 **(8)** (e) 3b. ~~For each year in which the owner or operator has not paid the annual license fee under s. 77.9961 (1) for the dry cleaning facility, an~~ An amount equal to 30 times the average annual license fee paid under s. 77.9961 (1) for ~~that~~ the year in which an award is made.

**SECTION 2641.** 292.65 (8) (e) 3c. of the statutes is amended to read:

292.65 **(8)** (e) 3c. ~~For each year in which the dry cleaning solvents fee under s. 77.9962 was imposed and the dry cleaning facility was not in operation, an~~ An amount equal to 30 times the total amount collected under s. 77.9962 for ~~that~~ the year in which an award is made divided by the number of dry cleaning facilities in operation during that year.

**SECTION 2641g.** 292.65 (8) (j) 4. of the statutes is created to read:

292.65 **(8)** (j) 4. If, prior to receiving an award under this section, an owner or operator receives payment from an insurance company arising out of a claim for payment of any eligible costs, the department may not reimburse the owner or operator any amount that exceeds the difference between the amount of the award calculated under subd. 1. or 2. and pars. (e) and (f) and the amount by which the insurance payment exceeds the sum of the deductible and the amount by which the amount calculated under par. (e) exceeds the maximum award under par. (f).

**SECTION 2641m.** 292.65 (8m) of the statutes is created to read:

292.65 **(8m)** REIMBURSEMENT OF INSURANCE PROCEEDS. If, after the owner or operator receives an award under this section, the owner or operator receives

payment from an insurance company arising out of a claim for payment of any eligible costs, the owner or operator shall pay to the department the amount by which the insurance payment exceeds the sum of the deductible and the amount by which the amount calculated under par. (e) exceeds the maximum award under par. (f), but not more than the amount of the award received.

**SECTION 2642.** 292.65 (9m) of the statutes is created to read:

292.65 (9m) SUBROGATION. The department is subrogated to the rights of an applicant who obtains an award under this section or s. 292.66 in an amount equal to the award and may join in an action by an applicant against an insurance company to recover eligible costs. An applicant who receives an award under this section shall cooperate with the state in any action under this subsection. The amounts collected by the department under this subsection shall be deposited in the dry cleaner environmental response fund.

**SECTION 2643.** 292.65 (11) of the statutes is created to read:

292.65 **(11)** ENVIRONMENTAL FUND REIMBURSEMENT. If the department expends funds from the environmental fund under s. 292.11 (7) (a) or 292.31 (3) (b) because of a discharge of dry cleaning solvent at a dry cleaning facility, the department shall transfer from the appropriation account under s. 20.370 (6) (eq) to the environmental fund an amount equal to the amount expended under s. 292.11 (7) (a) or 292.31 (3) (b). The department shall make transfers under this subsection when the department determines that sufficient funds are available in the appropriation account under s. 20.370 (6) (eq).

**SECTION 2644.** 292.65 (12m) of the statutes is created to read:

292.65 **(12m)** PROHIBITION. No person may knowingly make or cause to be made a false or misleading statement in any document submitted to the department under this section.

**SECTION 2645m.** 292.66 (2) (e) of the statutes is repealed.

**SECTION 2645p.** 292.66 (2) (g) of the statutes is created to read:

292.66 **(2)** (g) The owner or operator of a dry cleaning facility that is operating at the time that the owner or operator applies for assistance under this section certifies that any perchloroethylene delivered to the dry cleaning facility is delivered using a closed, direct–coupled delivery system.

**SECTION 2646.** 292.66 (3) of the statutes is amended to read:

292.66 **(3)** An award under this section ~~may not exceed $15,000, of which not more than $2,500 may be~~ shall equal 50% of the eligible costs, except that an award may not exceed $20,000. Of the total award, the reimbursement for the preliminary site screening shall equal 50% of the cost of conducting the preliminary site screening, except that the reimbursement for the preliminary site screening may not exceed $3,000.

**SECTION 2647.** 292.66 (5) of the statutes is created to read:

292.66 **(5)** No person may knowingly make or cause to be made a false or misleading statement in any document submitted to the department under this section.

**SECTION 2649.** 292.75 of the statutes is created to read:

**292.75 Brownfield site assessment grants. (1)** DEFINITIONS. In this section:

(a) "Eligible site or facility" means an abandoned, idle or underused industrial or commercial facility or site, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

(b) "Local governmental unit" means a city, village, town, county, redevelopment authority created under s. 66.431, community development authority created under s. 66.4325, or housing authority.

(c) "Petroleum product" has the meaning given in s. 101.143 (1) (f).

(d) "Underground hazardous substance storage tank system" means an underground storage tank used for storing a hazardous substance other than a petroleum product together with any on–site integral piping or dispensing system with at least 10% of its total volume below the surface of the ground.

(e) "Underground petroleum product storage tank" has the meaning given in s. 101.143 (1) (i).

**(2)** DUTIES OF THE DEPARTMENT. (a) The department shall administer a program to award brownfield site assessment grants from the appropriation under s. 20.370 (6) (et) to local governmental units for the purposes of conducting any of the eligible activities under sub. (3).

(b) The department may not award a grant to a local governmental unit under this section if that local governmental unit caused the environmental contamination that is the basis for the grant request.

(c) The department may only award grants under this section if the person that caused the environmental contamination that is the basis for the grant request is unknown, cannot be located or is financially unable to pay the cost of the eligible activities.

(d) The department shall promulgate rules as necessary to administer the program. Rules promulgated by the department under this paragraph may limit the total amount of funds that may be used to cover the costs of each category of eligible activity described in sub. (3).

**(3)** ELIGIBLE ACTIVITIES. The department may award grants to local governmental units to cover the costs of the following activities:

(a) The investigation of environmental contamination on an eligible site or facility for the purposes of reducing or eliminating environmental contamination.

(b) The demolition of any structures, buildings or other improvements located on an eligible site or facility.

(c) The removal of abandoned containers, as defined in s. 292.41 (1), from an eligible site or facility.

(d) Asbestos abatement activities, as defined in s. 254.11 (2), conducted on an eligible site or facility.

(e) The removal of underground hazardous substance storage tank systems.

(f) The removal of underground petroleum product storage tank systems.

**(4)** APPLICATION FOR GRANT. The applicant shall submit an application on a form prescribed by the department and shall include any information that the department finds necessary to calculate the amount of a grant.

**(5)** GRANT CRITERIA. The department shall consider the following criteria when determining whether to award a grant:

(a) The local governmental unit's demonstrated commitment to performing and completing necessary environmental remediation activities on the eligible site, including the local governmental unit's financial commitment.

(b) The degree to which the project will have a positive impact on public health and the environment.

(c) Other criteria that the department finds necessary to calculate the amount of a grant.

**(6)** LIMITATION OF GRANT. The total amount of all grants awarded to a local governmental unit in a fiscal year under this section shall be limited to an amount equal to 15% of the available funds appropriated under s. 20.370 (6) (et) for the fiscal year.

**(7)** MATCHING FUNDS. The department may not distribute a grant unless the applicant contributes matching funds equal to 20% of the grant. Matching funds may be in the form of cash or in–kind contribution or both.

**SECTION 2649h.** 292.77 of the statutes is created to read:

**292.77 Sustainable urban development zone program. (1)** In this section, "brownfields" has the meaning given in s. 560.13 (1) (a).

**(2)** The department shall develop and, beginning no later than January 1, 2001, administer a pilot program in the city of Green Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh that promotes the use of financial incentives to clean up and redevelop brownfields. Funds provided under the program may be used to investigate environmental contamination and to conduct cleanups of brownfields in those cities.

**(3)** In developing and administering the pilot program under sub. (2), the department shall consult and coordinate with the department of administration, the department of commerce, the department of health and family services, the department of revenue, the department of transportation and the cities specified in sub. (2).

**(4)** During the 1999–2001 fiscal biennium, the department shall make the following amounts available through the pilot program under sub. (2):

(a) To the city of Green Bay, $500,000.

(b) To the city of La Crosse, $500,000.

(c) To the city of Milwaukee, $1,000,000.

(d) To the city of Oshkosh, $250,000.

**(5)** (a) The department of commerce shall certify a person conducting a project under the pilot program as eligible to claim a tax credit under s. 71.07 (2dy), 71.28 (1dy) or 71.47 (1dy) while the person is conducting the project.

(b) Within 3 months after a person is certified under par. (a), the department of commerce shall estimate the amount of tax benefits that the person will claim while conducting the project.

(c) The department of commerce shall provide a person certified under par. (a) and the department of revenue with a copy of the certification. The certification shall include all of the following:

1. The name and address of the person's business.

2. The location and description of the project.

3. The appropriate Wisconsin tax identification number of the person.

4. The names and addresses of other locations where the person conducts business and a description of the business activities conducted at those locations.

5. Other information required by the department of natural resources or the department of revenue.

(d) The department of commerce shall promulgate rules that further define a person's eligibility to claim the tax credit.

**SECTION 2650.** 292.99 (1) of the statutes is amended to read:

292.99 **(1)** ~~Any~~ Except as provided under sub. (1m), any person who violates this chapter or any rule promulgated or any plan approval, license or special order issued under this chapter shall forfeit not less than $10 nor more than $5,000 for each violation. Each day of continued violation is a separate offense. While an order is suspended, stayed or enjoined, this penalty does not accrue.

**SECTION 2651.** 292.99 (1m) of the statutes is created to read:

292.99 **(1m)** Any person who violates s. 292.65 (12m) or 292.66 (5) shall forfeit not less than $10 nor more than $10,000.

**SECTION 2652.** 292.99 (2) of the statutes is amended to read:

292.99 **(2)** In addition to the penalties provided under ~~sub.~~ subs. (1) and (1m), the court may award the department of justice the reasonable and necessary expenses of the investigation and prosecution of the violation, including attorney fees. The department of justice shall deposit in the state treasury for deposit into the general fund all moneys that the court awards to the department or the state under this subsection. Ten percent of the money deposited in the general fund that was awarded under this subsection for the costs of investigation and the expenses of prosecution, including attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).

**SECTION 2652j.** 293.41 (2) (g) of the statutes is amended to read:

293.41 **(2)** (g) A provision for the amendment of the agreement. The agreement shall provide that the agreement is subject to amendment at the request of either party if additional information relevant to the issues addressed in the agreement is obtained after the agreement takes effect but before the hearing under s. 293.43.

**SECTION 2652k.** 293.41 (6) of the statutes is created to read:

293.41 **(6)** If an agreement takes effect before the effective date of this subsection .... [revisor inserts date], with respect to a mining permit application for which the department has not issued or denied a mining permit on the effective date of this subsection .... [revisor inserts date], the county, town, village, city or tribal government that entered into the agreement may request the operator to engage in negotiations regarding an amendment to the agreement based on additional information that is relevant to the issues addressed in the agreement and that is first obtained after the agreement takes effect but before the hearing under s. 293.43.

**SECTION 2652L.** 293.49 (2) (g) of the statutes is created to read:

293.49 **(2)** (g) That the applicant failed to negotiate with a county, town, village, city or tribal government under s. 293.41 (6).

**SECTION 2653.** 295.11 (10) of the statutes is amended to read:

295.11 **(10)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

**SECTION 2653d.** 295.16 (1) (c) of the statutes is created to read:

295.16 **(1)** (c) The requirements for a nonmetallic mining reclamation plan under s. 295.12 (3) (c), for public notice and an opportunity for a public informational

hearing under s. 295.12 (3) (d) and for proof of financial responsibility under s. 295.12 (3) (ds) do not apply to nonmetallic mining to obtain stone, soil, sand or gravel for the construction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility, conducted under contract with a municipality, as defined in s. 299.01 (8), if the contract requires the nonmetallic mining site to be reclaimed in accordance with the requirements of the department of transportation concerning the restoration of nonmetallic mining sites.

**SECTION 2670.** 299.13 (title) of the statutes is amended to read:

**299.13** (title) ~~**Hazardous pollution**~~ **Pollution prevention.**

**SECTION 2671.** 299.13 (1) (be) of the statutes is created to read:

299.13 **(1)** (be) "Center" means the solid and hazardous waste education center under s. 36.25 (30).

**SECTION 2672.** 299.13 (1) (c) of the statutes is repealed.

**SECTION 2673.** 299.13 (1) (dm) of the statutes is created to read:

299.13 **(1)** (dm) 1. "Pollution prevention" means an action that does any of the following:

a. Prevents waste from being created.

b. Reduces the amount of waste that is created.

c. Changes the nature of waste being created in a way that reduces the hazards to public health or the environment posed by the waste.

2. "Pollution prevention" does not include incineration, recycling or treatment of a waste, changes in the manner of disposal of a waste or any practice that changes the characteristics or volume of a waste if the practice is not part of the process that produces a product or provides a service.

**SECTION 2674.** 299.13 (1) (e) of the statutes is repealed.

**SECTION 2675.** 299.13 (1m) (intro.) of the statutes is amended to read:

299.13 **(1m)** PROMOTION OF ~~HAZARDOUS~~ POLLUTION PREVENTION. (intro.) In carrying out the duties under this section and ss. 36.25 (30) and 560.19, the department, the department of commerce and the ~~program~~ center shall promote all of the following techniques for ~~hazardous~~ pollution prevention:

**SECTION 2676.** 299.13 (1m) (f) of the statutes is created to read:

299.13 **(1m)** (f) Reducing energy use.

**SECTION 2677.** 299.13 (1m) (g) of the statutes is created to read:

299.13 **(1m)** (g) Training employes to minimize waste.

**SECTION 2678.** 299.13 (2) (a) of the statutes is amended to read:

299.13 **(2)** (a) Designate an employe of the department to serve as ~~hazardous~~ pollution prevention coordinator and to do all of the following:

2. Recommend educational priorities to the university of Wisconsin–extension for the ~~program~~ center, considering volume and toxicity of hazardous substances, toxic pollutants and hazardous waste produced, lack of compliance with environmental standards, potential for ~~hazardous~~ pollution prevention and projected shortfalls in hazardous waste treatment or disposal facilities under the capacity assurance plan.

3. Coordinate the department's ~~hazardous~~ pollution prevention efforts with those of other governmental agencies and private groups.

4. Provide training concerning ~~hazardous~~ pollution prevention to employes of the department.

**SECTION 2679.** 299.13 (2) (b) of the statutes is amended to read:

299.13 **(2)** (b) Identify all department requirements for reporting on ~~hazardous~~ pollution prevention and, to the extent possible and practical, standardize,

coordinate and consolidate the reporting in order to minimize duplication and provide useful information on ~~hazardous~~ pollution prevention to the legislature and the public.

**SECTION 2680.** 299.13 (2) (d) of the statutes is amended to read:

299.13 **(2)** (d) Seek federal funding to promote ~~hazardous~~ pollution prevention.

**SECTION 2680v.** 299.15 (3) (cm) 1. of the statutes is created to read:

299.15 **(3)** (cm) 1. In fiscal year 1999–2000, the department may not charge total fees under par. (am) that exceed $7,450,000.

**SECTION 2681.** 299.15 (3) (cm) 2. of the statutes is amended to read:

299.15 **(3)** (cm) 2. In any fiscal year after fiscal year 1999–2000, the department may not charge total fees under par. (am) that exceed ~~$7,450,000~~ $7,925,000.

**SECTION 2681e.** 299.15 (3) (e) of the statutes is created to read:

299.15 **(3)** (e) In the rules under par. (am) 3. for fees required to be paid in fiscal years beginning with fiscal year 2000–01, the department shall do all of the following:

1. Use the fees paid by a person in fiscal year 1999–2000 as the basis for the person's fees.

2. Determine the fee for each person based on the number of units of pollutants discharged by the person, using a 5–year rolling average.

3. Use a performance–based approach that increases a person's fees in proportion to increases in the number of units of pollutants discharged by the person, as determined under subd. 2., and decreases a person's fees in proportion to decreases in the number of units of pollutants discharged by the person, as determined under subd. 2.

4. Omit any multiplier or similar mechanism that would increase a person's fees in order to compensate for decreases in overall amounts of discharges.

5. Omit any provision that would increase the fee per unit of pollutant discharged in order to compensate for decreases in overall amounts of discharges.

**SECTION 2681k.** 299.47 of the statutes is created to read:

**299.47 Sale and delivery of dry cleaning solvent. (1)** In this section:

(a) "Dry cleaning facility" has the meaning given in s. 292.65 (1) (d).

(b) "Dry cleaning solvent" has the meaning given in s. 292.65 (1) (e).

(c) "Owner" means a person who owns, or has possession or control of, a dry cleaning facility, or who receives direct or indirect consideration from the operation of a dry cleaning facility.

**(2)** A supplier of dry cleaning solvent may not sell or deliver to the owner or operator of a dry cleaning facility any dry cleaning solvent unless the dry cleaning facility is licensed under s. 77.9961 (2).

**(3)** Any person who violates sub. (2) may be required to forfeit not more than $500 for each violation.

**SECTION 2682.** 299.95 of the statutes is amended to read:

**299.95 Enforcement; duty of department of justice; expenses.** The attorney general shall enforce chs. 281 to 285 and 289 to 295 and this chapter, except ss. 281.48, 285.57, 285.59 and 299.64, and all rules, special orders, licenses, plan approvals and permits of the department, except those promulgated or issued under ss. 281.48, 285.57, 285.59 and 299.64 <u>and except as provided in s. 285.86</u>. The circuit court for Dane county or for any other county where a violation occurred in whole or in part has jurisdiction to enforce chs. 281 to 285 and 289 to 295 or this chapter or the rule, special order, license, plan approval or permit by injunctional and other

relief appropriate for enforcement. For purposes of this proceeding where chs. 281 to 285 and 289 to 295 or this chapter or the rule, special order, license, plan approval or permit prohibits in whole or in part any pollution, a violation is considered a public nuisance. The department of natural resources may enter into agreements with the department of justice to assist with the administration of chs. 281 to 285 and 289 to 295 and this chapter. Any funds paid to the department of justice under these agreements shall be credited to the appropriation account under s. 20.455 (1) (k).

**SECTION 2682m.** 299.97 (1) of the statutes is amended to read:

299.97 **(1)** Any person who violates this chapter, except s. 299.15 (1), 299.47 (2), 299.51 (4) (b), 299.53 (2) (a) or (3), 299.62 (2) or 299.64 (2), or any rule promulgated or any plan approval, license or special order issued under this chapter, except under those sections, shall forfeit not less than $10 nor more than $5,000, for each violation. Each day of continued violation is a separate offense. While the order is suspended, stayed or enjoined, this penalty does not accrue.

**SECTION 2689.** 301.029 of the statutes is created to read:

**301.029 Contracts requiring prisoner access to personal information.** **(1)** In this section, "financial transaction card" has the meaning given in s. 943.41 (1) (em).

**(2)** (a) The department may not enter into any contract or other agreement if, in the performance of the contract or agreement, a prisoner would perform data entry or telemarketing services and have access to an individual's financial transaction card numbers, checking or savings account numbers or social security number.

(b) The department may not enter into any contract or other agreement if, in the performance of the contract or agreement, a prisoner would perform data entry

services or telemarketing services and have access to any information that may serve to identify a minor.

**SECTION 2689m.** 301.03 (3c) of the statutes is amended to read:

301.03 **(3c)** If requested by the department of health and family services, contract with that department to supervise and provide services to persons who are conditionally transferred or discharged under s. 51.37 (9), conditionally released under s. 971.17 (3) or placed on supervised release under s. 980.06 (2)<u>, 1997 stats.,</u> or <u>s.</u> 980.08.

**SECTION 2692e.** 301.048 (2) of the statutes is renumbered 301.048 (2) (am), and 301.048 (2) (am) (intro.) and 2., as renumbered, are amended to read:

301.048 **(2)** (am) (intro.) ~~A~~ <u>Except as provided in par. (bm), a</u> person enters the intensive sanctions program only if he or she has been convicted of a felony and only under one of the following circumstances:

2. He or she is a prisoner serving a felony sentence not punishable by life imprisonment and the department directs him or her to participate in the program. This ~~paragraph~~ <u>subdivision</u> does not apply to a prisoner serving a bifurcated sentence imposed under s. 973.01.

**SECTION 2692m.** 301.048 (2) (bm) of the statutes is created to read:

301.048 **(2)** (bm) 1. In this paragraph, "violent offense" means:

a. A crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (3), (4) or (5), 940.195 (3), (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23

(1g), (1m) or (1r), 943.30, 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08 or 948.30.

b. A crime under federal law, the law of any other state or, prior to the effective date of this subdivision 1. b. .... [revisor inserts date], the law of this state that is comparable to a crime specified in subd. 1. a.

2. A person who has at any time been convicted, adjudicated delinquent or found not guilty or not responsible by reason of insanity or mental disease, defect or illness of or for a violent offense is not eligible for the intensive sanctions program.

**SECTION 2692s.** 301.048 (4) (a) of the statutes is amended to read:

301.048 **(4)** (a) A participant is in the custody and under the control of the department, subject to its rules and discipline. A participant entering the program under sub. (2) ~~(a) or (b)~~ (am) 1. or 2. is a prisoner. A participant entering the program under sub. (2) ~~(c)~~ (am) 3. is a prisoner, except that he or she is a parolee for purposes of revocation. A participant entering the program under sub. (2) ~~(cm)~~ (am) 3m. is a prisoner, except that he or she remains a person on extended supervision for purposes of revocation. A participant entering the program under sub. (2) ~~(d)~~ (am) 4. is a prisoner, except that he or she remains a probationer, parolee or person on extended supervision, whichever is applicable, for purposes of revocation.

**SECTION 2695m.** 301.16 (1q) of the statutes is created to read:

301.16 **(1q)** The department shall establish probation and parole holding facilities, one of which shall be the probation and parole holding and alcohol and other drug abuse treatment facility in the city of Milwaukee, as enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b) 1.

**SECTION 2698g.** 301.16 (1v) of the statutes is created to read:

301.16 **(1v)** In addition to the institutions under sub. (1), the department shall establish a medium security correctional institution in Chippewa Falls.

**SECTION 2698m.** 301.18 (1) (c) of the statutes is created to read:

301.18 **(1)** (c) Provide the facilities necessary for the correctional institution under s. 301.16 (1v) using the Highview building located at the Northern Wisconsin Center for the Developmentally Disabled and converted to a correctional facility under 1999 Wisconsin Act .... (this act), section 9107 (1) (b) 1.

**SECTION 2698s.** 301.18 (1g) of the statutes is created to read:

301.18 **(1g)** The department of administration may acquire or lease correctional facilities under 1999 Wisconsin Act .... (this act), section 9111(4xt) (b).

**SECTION 2698w.** 301.19 of the statutes is created to read:

**301.19 Construction of correctional facilities by private persons. (1)** In this section:

(a) "Authorized jurisdiction" means a county, a group of counties acting under s. 302.44, the United States or a federally recognized American Indian tribe or band in this state.

(b) "Correctional facility" means a prison, jail, house of correction or lockup facility but does not include an institution or facility or a portion of an institution or facility that is used solely to confine juveniles alleged or found to be delinquent under ch. 48, 1993 stats., or ch. 938.

**(2)** No private person may commence construction of a correctional facility or commence conversion of an existing building, structure or facility into a correctional facility unless all of the following requirements are met:

(a) The building commission has authorized the lease or acquisition of the building, structure or facility by the state upon the completion of the construction or conversion.

(b) The building, structure or facility is enumerated in the authorized state building program.

(c) The private person agrees to comply with s. 20.924 (1) (i) 1., 2. and 3.

**(3)** Subsection (2) does not apply to buildings, structures or facilities that are constructed or converted under a contract with and for use by an authorized jurisdiction.

**SECTION 2699m.** 301.235 (2) (e) of the statutes is amended to read:

301.235 **(2)** (e) All laws, except s. 20.924 (1) (i) and ch. 150, conflicting with this section are, insofar as they conflict with this section and no further, superseded by this section.

**SECTION 2700.** 301.26 (4) (c) of the statutes is amended to read:

301.26 **(4)** (c) Notwithstanding pars. (a), (b) and (bm), the department of corrections shall pay, from the appropriation ~~account~~ under s. 20.410 (3) (hm), (ho) or (hr), the costs of care, services and supplies provided for each person receiving services under s. 46.057, 48.366, 51.35 (3), 938.183 or 938.34 who was under the guardianship of the department of health and family services pursuant to an order under ch. 48 at the time that the person was adjudicated delinquent.

**SECTION 2703d.** 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 **(4)** (d) 2. Beginning on July 1, ~~1997~~ 1999, and ending on December 31, ~~1997~~ 1999, the per person daily cost assessment to counties shall be ~~$150.44~~ $153.01 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$150.44~~ $153.01 for care for juveniles transferred from a juvenile

correctional institution under s. 51.35 (3), ~~$160.22~~ $183.72 for care in a child caring institution, including a secured child caring institution, ~~$111.16~~ $118.93 for care in a group home for children, ~~$24.78~~ $26.17 for care in a foster home, ~~$71.35~~ $75.37 for care in a treatment foster home, ~~$88.19~~ $72.66 for departmental corrective sanctions services and ~~$16.98~~ $19.76 for departmental aftercare services.

**SECTION 2703e.** 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 **(4)** (d) 3. In calendar year ~~1998~~ 2000, the per person daily cost assessment to counties shall be ~~$154.94~~ $153.55 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$154.94~~ $153.55 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$161.79~~ $187.21 for care in a child caring institution, including a secured child caring institution, ~~$112.25~~ $121.19 for care in a group home for children, ~~$25.02~~ $26.67 for care in a foster home, ~~$72.05~~ $76.80 for care in a treatment foster home, ~~$80.41~~ $74.68 for departmental corrective sanctions services and ~~$17.18~~ $19.15 for departmental aftercare services.

**SECTION 2703f.** 301.26 (4) (d) 4. of the statutes is amended to read:

301.26 **(4)** (d) 4. Beginning on January 1, ~~1999~~ 2001, and ending on June 30, ~~1999~~ 2001, the per person daily cost assessment to counties shall be ~~$159.46~~ $154.08 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$159.46~~ $154.08 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$163.36~~ $190.70 for care in a child caring institution, including a secured child caring institution, ~~$113.34~~ $123.45 for care in a group home for children, ~~$25.26~~ $27.16 for care in a foster home, ~~$72.75~~ $78.23 for care in a treatment foster home, ~~$74.35~~ $76.71 for departmental corrective sanctions services and ~~$17.39~~ $18.62 for departmental aftercare services.

**SECTION 2709.** 301.26 (4) (g) of the statutes is amended to read:

301.26 **(4)** (g) For juvenile field and institutional aftercare services under ch. 938 and for the office of juvenile offender review, all payments and deductions made under this subsection and uniform fee collections under s. 301.03 (18) shall be ~~deposited in the general fund and shall be treated as a nonappropriated receipt~~ credited to the appropriation account under s. 20.410 (3) (hm).

**SECTION 2709g.** 301.26 (7) (intro.) of the statutes is amended to read:

301.26 **(7)** ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate funds for community youth and family aids for the period beginning on July 1, ~~1997~~ 1999, and ending on June 30, ~~1999~~ 2001, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

**SECTION 2709h.** 301.26 (7) (a) of the statutes is renumbered 301.26 (7) (a) (intro.) and amended to read:

301.26 **(7)** (a) (intro.) For community youth and family aids under this section, amounts not to exceed ~~$41,649,700~~ $42,091,800 for the last 6 months of ~~1997, $82,741,700~~ 1999, $85,183,700 for ~~1998~~ 2000 and ~~$41,091,900~~ $43,091,900 for the first 6 months of ~~1999.~~ 2001. Of those amounts, the department shall allocate $1,000,000 for the last 6 months of 1999, $3,000,000 for 2000 and $2,000,000 for the first 6 months of 2001 to counties based on each of the following factors weighted equally:

**SECTION 2709i.** 301.26 (7) (a) 1. of the statutes is created to read:

301.26 **(7)** (a) 1. Each county's proportion of the total statewide juvenile population for the most recent year for which that information is available.

**SECTION 2709j.** 301.26 (7) (a) 2. of the statutes is created to read:

301.26 **(7)** (a) 2. Each county's proportion of the total Part I juvenile arrests reported statewide under the uniform crime reporting system of the office of justice assistance during the most recent 3–year period for which that information is available.

**SECTION 2709k.** 301.26 (7) (a) 3. of the statutes is created to read:

301.26 **(7)** (a) 3. Each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional institution or a secured child caring institution, as defined in s. 938.02 (15g), during the most recent 3–year period for which that information is available.

**SECTION 2709m.** 301.26 (7) (e) of the statutes is amended to read:

301.26 **(7)** (e) For emergencies related to community youth and family aids under this section, amounts not to exceed $125,000 for the last 6 months of ~~1997~~ 1999, $250,000 for ~~1998~~ 2000 and $125,000 for the first 6 months of ~~1999~~ 2001. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000.

**SECTION 2709n.** 301.26 (7) (h) of the statutes is amended to read:

301.26 **(7)** (h) For counties that are participating in the corrective sanctions program under s. 938.533 (2), $1,062,400 in the last 6 months of ~~1997~~ 1999, $2,124,800 in ~~1998~~ 2000 and $1,062,400 in the first 6 months of ~~1999~~ 2001 for the provision of corrective sanctions services for juveniles from that county. In distributing funds to counties under this paragraph, the department shall determine a county's distribution by dividing the amount allocated under this paragraph by the number of slots authorized for the program under s. 938.533 (2) and multiplying the quotient by the number of slots allocated to that county by agreement between the

department and the county. The department may transfer funds among counties as necessary to distribute funds based on the number of slots allocated to each county.

**SECTION 2709p.** 301.26 (8) of the statutes is amended to read:

301.26 **(8)** ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the allocations specified in sub. (7) (a), the department shall allocate $666,700 in the last 6 months of ~~1997~~ 1999, $1,333,400 in ~~1998~~ 2000 and $666,700 in the first 6 months of ~~1999~~ 2001 for alcohol and other drug abuse treatment programs.

**SECTION 2709r.** 301.263 (1) of the statutes is amended to read:

301.263 **(1)** From the appropriation under s. 20.410 (3) (f), the department shall distribute ~~$3,750,000~~ $5,000,000 in each year to counties for early intervention services for first offenders and for intensive community–based intervention services for seriously chronic offenders.

**SECTION 2710m.** 301.265 (3) of the statutes is amended to read:

301.265 **(3)** From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate $150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, $150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, $150,000 in each fiscal year to enter into a contract with an organization that is located in ward 1 in the city of Racine to provide services in Racine County and ~~$75,000~~ $150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. The organization that is located in ward 1 in the city of Racine

shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

**SECTION 2711.** 301.27 (2) of the statutes is amended to read:

301.27 **(2)** VENDING STANDS. The department shall establish and maintain a revolving fund not exceeding ~~$60,000~~ $100,000 in any of the state institutions administered by the department, for the education, recreation and convenience of the patients, inmates and employes, to be used for the operation of vending stands, canteen operations, reading clubs, musical organizations, religious programs, athletics and similar projects. The funds are exempt from s. 20.906, but are subject to audit by the department and the legislative audit bureau in its discretion.

**SECTION 2717j.** 301.45 (3) (a) 3r. of the statutes is amended to read:

301.45 **(3)** (a) 3r. If the person has been committed under ch. 980, he or she is subject to this subsection upon being placed on supervised release under s. 980.06 (2), 1997 stats., or s. 980.08 or, if he or she was not placed on supervised release, before being discharged under s. 980.09 or 980.10.

**SECTION 2718.** 302.01 of the statutes is amended to read:

**302.01 State prisons named and defined.** The penitentiary at Waupun is named "Waupun Correctional Institution". The correctional treatment center at Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay is named "Green Bay Correctional Institution". The medium/maximum penitentiary at Portage is named "Columbia Correctional Institution". The medium security institution at Oshkosh is named "Oshkosh Correctional Institution". The medium

security penitentiary near Fox Lake is named "Fox Lake Correctional Institution". The penitentiary at Taycheedah is named "Taycheedah Correctional Institution". The medium security penitentiary at Plymouth is named "Kettle Moraine Correctional Institution". The penitentiary at the village of Sturtevant in Racine county is named "Racine Correctional Institution". The medium security penitentiary at Racine is named "Racine Youthful Offender Correctional Facility". The resource facility at Oshkosh is named "Wisconsin Resource Center". The institutions named in this section, the correctional ~~institution~~ institutions authorized under s. 301.16 (1n) and (1v), correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution authorized under s. 301.046 (1), correctional institution authorized under s. 301.048 (4) (b), minimum security correctional institutions authorized under s. 301.13, the probation and parole holding facilities authorized under s. 301.16 (1q) and state–local shared correctional facilities when established under s. 301.14, are state prisons.

**SECTION 2718e.** 303.01 (2) (em) of the statutes is amended to read:

303.01 **(2)** (em) Lease space, with or without equipment, within the precincts of state prisons, as specified in s. 302.02, or within the confines of correctional institutions operated by the department for holding in secure custody persons adjudged delinquent, to not more than 6 private businesses to employ prison inmates and institution residents to manufacture products or components or to provide services for sale on the open market. The department shall comply with s. 16.75 in selecting businesses under this paragraph. The department may enter into a contract under this paragraph only with the approval of the joint committee on finance. The department may not enter into or amend a contract under this paragraph unless the contract or amendment specifies each state prison or juvenile

correctional institution at which the private business will employ inmates or institution residents. The private business may not employ inmates or institution residents at a state prison or juvenile correctional institution not specified in the contract without the approval of the joint committee on finance. The department shall consult with appropriate trade organizations and labor unions prior to issuing requests for proposals and prior to selecting proposals under this paragraph. Each such private business may conduct its operations as a private business, subject to the wage standards under sub. (4), the disposition of earnings under sub. (8), the provisions regarding displacement in sub. (11), the requirements for notification and hearing under sub. (1) (c), the requirement for prison industries board approval under s. 303.015 (1) (b) and the authority of the department to maintain security and control in its institutions. The private business and its operations are not a prison industry. Inmates employed by the private business are not subject to the requirements of inmates participating in prison industries, except as provided in this paragraph;

**SECTION 2718em.** 303.01 (2) (em) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 2718g.** 303.01 (8) (b) of the statutes is amended to read:

303.01 **(8)** (b) The department shall distribute earnings of an inmate or resident~~, other than an inmate or resident employed under sub. (2) (em),~~ for the crime victim and witness assistance surcharge under s. 973.045 (4), for the delinquency victim and witness assistance surcharge under s. 938.34 (8d) (c), for the deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance with s. 303.06 (2) and may distribute earnings for the support of the inmate's or resident's dependents and for other obligations either acknowledged by the inmate

or resident in writing or which have been reduced to judgment that may be satisfied according to law.

**SECTION 2718h.** 303.01 (8) (c) of the statutes is repealed.

**SECTION 2718L.** 303.01 (8) (d) of the statutes is repealed.

**SECTION 2718p.** 303.01 (8) (e) of the statutes is repealed.

**SECTION 2718q.** 303.01 (11) of the statutes is created to read:

303.01 **(11)** DISPLACEMENT. (a) In this subsection:

1. "Displace an employe" means to lay off an employe in this state as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract or to permanently transfer an employe in this state to another job that reduces the employe's base pay, excluding overtime, differentials and bonuses, by more than 25% as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract.

2. "Prison contract" means a contract entered into by the department under sub. (2) (em).

3. "Private employer" means a private business that is a party to a prison contract.

(b) A private employer may not displace an employe or cause another private business to displace an employe.

(c) A private employer may not employ inmates or institution residents under a prison contract if any of the following applies:

1. The inmates or institution residents are to be employed in a skill, craft or trade in which there is a surplus of available labor in the locality of the private employer.

2. The employment of the inmates or institution residents will impair the performance of other contracts to which the private employer is a party.

3. The inmates or institution residents will replace employes who are on strike against the private employer or locked out of work.

(d) A private employer shall post in all of its workplaces a notice provided by the department containing a description of the nature of the prison contract and an explanation of what it means for an employe of a private employer to be displaced under this subsection and identifying a person at the department whom an employe of a private employer may contact if the employe believes that he or she may have been displaced by a prison contract.

**SECTION 2718qm.** 303.01 (11) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

**SECTION 2718v.** 303.06 (3) of the statutes is repealed.

**SECTION 2718w.** 303.08 (1) (cn) of the statutes is created to read:

303.08 **(1)** (cn) Attending court proceedings to which the person is a party or for which the person has been subpoenaed as a witness;

**SECTION 2718y.** 303.21 (1) (b) of the statutes is amended to read:

303.21 **(1)** (b) Inmates are included under par. (a) if they are participating in a structured work program away from the institution grounds under s. 302.15 or a secure work program under s. 303.063. Inmates are not included under par. (a) if they are employed in a prison industry under s. 303.06 (2), participating in a work release program under s. 303.065 (2)~~, participating in employment with a private business under s. 303.01 (2) (em)~~ or participating in the transitional employment program, but they are eligible for worker's compensation benefits under ch. 102.

Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are eligible for worker's compensation benefits under ch. 102.

**SECTION 2718yn.** 304.137 of the statutes is renumbered 304.137 (1) and amended to read:

304.137 **(1)** PERSONS RELEASED OR PLACED ON PROBATION BEFORE JANUARY 1, 2000. If the department accepts supervision of a probationer, person on extended supervision or parolee from another state under s. 304.13 or 304.135 and the person was placed on probation or released on parole or extended supervision before January 1, 2000, the department shall determine whether the violation of law for which the person is on probation, extended supervision or parole is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025. If the department determines that a person on probation, extended supervision or parole from another state who is subject to this subsection violated a law that is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the department shall direct the probationer, person on extended supervision or parolee to provide a biological specimen under s. 165.76.

**SECTION 2718z.** 304.137 (2) of the statutes is created to read:

304.137 **(2)** PERSONS RELEASED OR PLACED ON PROBATION ON OR AFTER JANUARY 1, 2000. If the department accepts supervision of a probationer, person on extended supervision or parolee from another state under s. 304.13 or 304.135 and the person was placed on probation or released on parole or extended supervision on or after January 1, 2000, the department shall determine whether the violation of law for which the person is on probation, extended supervision or parole would constitute a felony if committed by an adult in this state. If the department determines that a person on probation, extended supervision or parole from another state who is

subject to this subsection violated a law that would constitute a felony if committed by an adult in this state, the department shall direct the probationer, person on extended supervision or parolee to provide a biological specimen under s. 165.76.

**SECTION 2720dd.** 340.01 (11) (intro.) of the statutes is amended to read:

340.01 **(11)** (intro.) "Dealer" means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, or who is engaged wholly or in part in the business of selling motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, whether or not such vehicles are owned by that person, but not including:

**SECTION 2720dh.** 340.01 (14) of the statutes is amended to read:

340.01 **(14)** "Distributor" means a person who in whole or in part sells or distributes motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers to dealers, or who maintains distributor representatives.

**SECTION 2720dp.** 340.01 (28) of the statutes is amended to read:

340.01 **(28)** "Manufacturer" means a person who manufactures or assembles motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, or who manufactures or installs on previously assembled truck chassis special bodies or equipment which when installed form an integral part of the motor vehicle and which constitutes a major manufacturing alteration.

**SECTION 2720dt.** 340.01 (29) of the statutes is amended to read:

340.01 **(29)** "Mobile home" means a vehicle designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction. ~~A mobile home exceeding statutory size under s. 348.07 (2) shall be~~

~~considered a primary housing unit. A mobile home not exceeding the statutory size under s. 348.07 (2) shall be considered a touring or recreational unit.~~

**SECTION 2720du.** 340.01 (29m) (a) of the statutes is amended to read:

340.01 **(29m)** (a) A bicycle–type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at not more than ~~50~~ 130 cubic centimeters or an equivalent power unit.

**SECTION 2720hd.** 340.01 (48r) of the statutes is created to read:

340.01 **(48r)** "Recreational vehicle" means a mobile home that does not exceed the statutory size under s. 348.07 (2).

**SECTION 2720hh.** 340.01 (72) (a) of the statutes is amended to read:

340.01 **(72)** (a) A person engaged in this state in the business of transporting and delivering motor vehicles, trailers, semitrailers or ~~mobile home~~s recreational vehicles in tow on their own wheels or under their own power from the manufacturer to the distributor, dealer or branch of the manufacturer, or from the distributor or dealer to another distributor or dealer, the manufacturer or branch of the manufacturer or from the branch of the manufacturer to the distributor, dealer or manufacturer.

**SECTION 2720hp.** 341.04 (1) (intro.) of the statutes is amended to read:

341.04 **(1)** (intro.) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer or any other vehicle for which a registration fee is specifically prescribed unless at the time of operation the vehicle in question either is registered in this state, or, except for registration under s. 341.30 or 341.305, a complete application for registration, including evidence of any inspection under s. 110.20 when required, accompanied by the required fee has been

delivered to the department, submitted to a dealer under s. 341.09 (2m) for transmittal to the department or deposited in the mail properly addressed with postage prepaid and, if the vehicle is an automobile, station wagon or motor truck having a registered weight of 8,000 pounds or less, the vehicle displays a temporary operation plate issued for the vehicle unless the operator or owner of the vehicle produces proof that operation of the vehicle is within 2 business days of the vehicle's sale or transfer, or the vehicle in question is exempt from registration.

**SECTION 2720ht.** 341.12 (1) of the statutes is amended to read:

341.12 **(1)** The department upon registering a vehicle pursuant to s. 341.25 or 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an automobile, motor truck, motor bus, school bus, self–propelled ~~mobile home~~ recreational vehicle or dual purpose motor home and one plate for other vehicles. The department upon registering a vehicle pursuant to any other section shall issue one plate unless the department determines that 2 plates will better serve the interests of law enforcement.

**SECTION 2721.** 341.135 (1) of the statutes is amended to read:

341.135 **(1)** DESIGN. ~~The~~ Not later than July 1, 2000, and every 6th year thereafter, the department shall establish new designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), 341.25 (1) (a), (c), (h) and (j) and (2) (a), (b) and (c) and 341.26 (2) and (3) (a) 1. and (am). ~~The~~ Any design for registration plates issued for automobiles and for vehicles registered on the basis of gross weight shall comply with the applicable design requirements of ss. 341.12 (3), 341.13 and 341.14 (6r) (c). The designs for registration plates specified in this subsection shall be as similar in appearance as practicable during each 6–year design interval. Each registration plate issued under s. 341.14 (1a), (1m), (1q), (2),

(2m), (6m) or (6r), 341.25 (1) (a), (c), (h) or (j) or (2) (a), (b) or (c) or 341.26 (2) or (3) (a) 1. or (am) during each 6–year design interval shall be of the design established under this subsection. The department may not redesign registration plates for the special groups under s. 341.14 (6r) (f) 53. and 54. until January 1, 2005.

**SECTION 2722.** 341.135 (2) (a) of the statutes is renumbered 341.135 (2) (a) 1. and amended to read:

341.135 **(2)** (a) 1. Beginning with registrations initially effective on July 1, 2000, upon receipt of a completed application to initially register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), except s. 341.14 (6r) (f) ~~52.~~ 53. and 54., or s. 341.25 (1) (a), (c), (h) ~~and~~ or (j) ~~and~~ or (2) (a), (b) ~~and~~ or (c) or 341.26 (2) ~~and~~ or (3) (a) 1. ~~and~~ or (am), the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established under sub. (1).

(am) Notwithstanding ss. 341.13 (3) and (3m), beginning with registrations initially effective on July 1, 2000, upon receipt of a completed application to renew the registration of a vehicle registered under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), except s. 341.14 (6r) (f) ~~52.~~ 53. and 54., or s. 341.25 (1) (a), (c), (h) ~~and~~ or (j) ~~and~~ or (2) (a), (b) ~~and~~ or (c) for which a registration plate of the design established under sub. (1) has not been issued, the department may issue and deliver prepaid to the applicant 2 new registration plates of the design established under sub. (1). This paragraph does not apply to registration plates issued under s. 341.14 (6r) (f) 52., 1997 stats. This paragraph does not apply after June 30, 2005.

**SECTION 2723.** 341.135 (2) (a) 2. of the statutes is created to read:

341.135 **(2)** (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations initially effective on July 1, 2005, upon receipt of a completed application to initially register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), or s. 341.25

(1) (a), (c), (h) or (j) or (2) (a), (b) or (c) or 341.26 (2) or (3) (a) 1. or (am), or to renew the registration of a vehicle under those sections for which a registration plate has not been issued during the previous 6 years, the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established for that 6–year period under sub. (1).

**SECTION 2724.** 341.135 (2) (e) of the statutes is amended to read:

341.135 **(2)** (e) The department shall issue new registration plates of the design established under sub. (1) for every vehicle registered under ~~ss.~~ s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), 341.25 (1) (a), (c), (h) ~~and~~ or (j) ~~and~~ or (2) (a), (b) ~~and~~ or (c) ~~and~~ or 341.26 (2) ~~and~~ or (3) (a) 1. ~~and~~ or (am) ~~by July 1, 2003~~ within 5 years after the date specified in sub. (1), except that the department may not issue registration plates of a new design for a vehicle registered under s. 341.14 (6r) (f) 53. or 54. until January 1, 2005.

**SECTION 2725.** 341.135 (3) of the statutes is repealed.

**SECTION 2726.** 341.14 (6m) (a) of the statutes is amended to read:

341.14 **(6m)** (a) Upon application to register an automobile, station wagon or motor truck which has a gross weight of not more than 8,000 pounds by any person who is a resident of this state and a member or retired member of the national guard, the department shall issue to the person special plates whose colors and design shall be determined by the department~~, after consultation with the adjutant general,~~ and which have the words "Wisconsin guard member" placed on the plates in the manner designated by the department. The department shall consult with or obtain the approval of the adjutant general with respect to any word or symbol used to identify the national guard. An additional fee of $10 shall be charged for the issuance of the plates. Registration plates issued under this subsection shall expire annually.

**SECTION 2726g.** 341.14 (6r) (b) 1. of the statutes is amended to read:

341.14 **(6r)** (b) 1. Upon application to register an automobile, station wagon or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person special plates whose colors and design shall indicate that the vehicle is owned by a person who is a member of the applicable special group. The department may not issue any special group plates under par. (f) 54. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating the professional football team have been obtained.

**SECTION 2726m.** 341.14 (6r) (b) 3. of the statutes is amended to read:

341.14 **(6r)** (b) 3. An additional fee of $15 shall be charged for the issuance or reissuance of a plate issued on an annual basis for a special group specified under par. (f) 35. to 47. ~~or,~~ 53. or 54. or designated by the department under par. (fm). An additional fee of $15 shall be charged for the issuance or reissuance of a plate issued on a biennial basis for a special group specified under par. (f) 35. to 47. ~~or,~~ 53. or 54. or designated by the department under par. (fm) if the plate is issued during the first year of the biennial registration period or $15 for the issuance or reissuance if the plate is issued during the 2nd year of the biennial registration period. The department shall deposit in the general fund and credit to the appropriation account under s. 20.395 (5) (cj) all fees collected under this subdivision for the issuance or

reissuance of a plate for a special group designated by the department under par. (fm).

**SECTION 2726r.** 341.14 (6r) (b) 7. of the statutes is created to read:

341.14 **(6r)** (b) 7. An additional fee of $25 that is in addition to the fee under subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) 54. An additional fee of $50 that is in addition to the fee under subd. 3. shall be charged for the issuance or renewal of a plate issued on the biennial basis for the special group specified under par. (f) 54. if the plate is issued or renewed during the first year of the biennial registration period or $25 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. To the extent permitted under ch. 71, the fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71. All moneys received under this subdivision in excess of the initial costs of data processing for the special group plate under par. (f) 54. or $35,000, whichever is less, shall be deposited in the general fund and credited as follows:

a. An amount equal to the costs of licensing fees under par. (h) shall be credited to the appropriation account under s. 20.395 (5) (cL).

b. The remainder after crediting the appropriation as provided in subd. 7. a. shall be credited to the appropriation account under s. 20.505 (3) (j).

**SECTION 2727.** 341.14 (6r) (c) of the statutes is amended to read:

341.14 **(6r)** (c) Special group plates shall display the word “Wisconsin”, the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 6 positions and not less than one position. The department shall specify the design for special group plates, but the department shall consult the president

of the ~~university~~ University of Wisconsin ~~system~~ System before specifying the ~~design for~~ word or symbol used to identify the special ~~group plates~~ groups under par. (f) 35. to 47., the secretary of natural resources before specifying the ~~design for~~ word or symbol used to identify the special ~~group plate~~ group under par. (f) 50. ~~and~~, the child abuse and neglect prevention board before specifying the design ~~for~~ word or symbol used to identify the special group ~~plate~~ under par. (f) 53. and the chief executive officer of the Green Bay Packers professional football team and an authorized representative of the National Football League before specifying the word or symbol used to identify the special group under par. (f) 54. Special group plates under par. (f) 50. shall be as similar as possible to regular registration plates in color and design.

**SECTION 2728.** 341.14 (6r) (e) of the statutes is amended to read:

341.14 **(6r)** (e) The department shall specify one combination of colors for special group plates for groups or organizations which are not military in nature and not special group plates under par. (f) 35. to 47. and 50. The department~~, after consulting the president of the university of Wisconsin system,~~ shall specify one combination of colors for special group plates under par. (f) 35. to 47. The department shall specify the word or words comprising the special group name and the symbol to be displayed upon special group plates for a group or organization which is not military in nature after consultation with the chief executive officer in this state of the group or organization~~, except that the department may not specify the word or words or the symbol for special group plates under par. (f) 35. to 47. unless the word or words or symbol is approved in writing by the president of the university of Wisconsin system or, with respect to endangered resources, specify the word or words or the symbol for special group plates under par. (f) 50. unless the word or words or symbol is approved in writing by the secretary of natural resources or, with respect~~

~~to child abuse and neglect prevention, specify any word or words other than "Children First" or the symbol for special group plates under par. (f) 53. unless the word or words or symbol is approved in writing by the child abuse and neglect prevention board. The president may not approve the word or words or symbol for a university specified under par. (f) 35. to 47. unless the chancellor of the university approves in writing the word or words or symbol~~. The department shall require that the word or words and symbol for a university specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and be of the colors for a university specified under par. (f) 35. to 47. that the president of the ~~university~~ University of Wisconsin ~~system~~ System specifies.

**SECTION 2729.** 341.14 (6r) (f) 53. of the statutes is amended to read:

341.14 **(6r)** (f) 53. Persons interested in obtaining a plate with the words ~~"Children First"~~ "Celebrate Children" on it to show their support of the prevention of child abuse and neglect.

**SECTION 2729g.** 341.14 (6r) (f) 54. of the statutes is created to read:

341.14 **(6r)** (f) 54. Persons interested in expressing their support of the Green Bay Packers professional football team.

**SECTION 2729m.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

341.14 **(6r)** (fm) 7. ~~After~~ Except for the authorized special group enumerated under par. (f) 54., after October 1, 1998, additional authorized special groups may only be special groups designated by the department under this paragraph. The authorized special groups enumerated in par. (f) shall be limited solely to those special groups specified under par. (f) on October 1, 1998, except for the authorized special group enumerated under par. (f) 54.

**SECTION 2729r.** 341.14 (6r) (h) of the statutes is created to read:

341.14 **(6r)** (h) From the appropriation under s. 20.395 (5) (cL), the department shall pay reasonable licensing fees relating to the word or words or the symbol on special group plates under par. (f) 54.

**SECTION 2730.** 341.19 (1) (b) of the statutes is amended to read:

341.19 **(1)** (b) ~~Five~~ Ten dollars per vehicle as a late payment for fees received after the time period established by the department.

**SECTION 2730m.** 341.25 (1) (intro.) of the statutes is amended to read:

341.25 **(1)** (intro.) Unless a different fee is prescribed for a particular vehicle by par. (b) or ss. 341.26 to 341.268, the following registration fees shall be paid to the department for the annual registration of each motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer not exempted by s. 341.05 from registration in this state:

**SECTION 2731.** 341.25 (1) (gd) of the statutes is amended to read:

341.25 **(1)** (gd) For each trailer or semitrailer ~~or camping trailer~~ having a gross weight of 3,000 pounds or less and used for hire or rental, a fee which is one–half of the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck. A trailer under this paragraph which is part of a fleet of 100 or more trailers used for hire or rental may be registered under s. 341.308.

**SECTION 2732.** 341.25 (1) (i) of the statutes is amended to read:

341.25 **(1)** (i) For each mobile home, and for each camping trailer ~~having a gross weight of more than 3,000 pounds~~, a fee of $15.

**SECTION 2732d.** 341.25 (1) (i) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

341.25 **(1)** (i) For each ~~mobile home~~ recreational vehicle, and for each camping trailer, a fee of $15.

**SECTION 2734b.** 341.26 (2g) of the statutes is repealed.

**SECTION 2734dd.** 341.47 (1) (intro.) of the statutes is amended to read:

341.47 **(1)** (intro.) Except as provided in sub. (2), any motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer owned or repossessed by a dealer, distributor or manufacturer may be operated on the highways of this state for either private or business purposes without being registered if such vehicle has displayed upon it valid registration plates issued pursuant to s. 341.51 to the dealer, distributor or manufacturer who is the owner of the vehicle or holder of the repossessed vehicle and such vehicle:

**SECTION 2734dh.** 341.51 (1) of the statutes is amended to read:

341.51 **(1)** The department shall register a person as a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers or as a transporter of vehicles upon receipt of a properly completed application form together with a fee of $75 and upon being satisfied that the applicant is by law entitled to be registered. The department shall register a person as a dealer, distributor or manufacturer of ~~mobile homes~~ recreational vehicles upon receipt of a properly completed application form together with a fee of $75 and upon being satisfied that the applicant is by law entitled to be so registered. The department shall assign to each person registered under this section a distinctive registration number and shall issue a certificate of registration bearing the registration number assigned.

**SECTION 2734dp.** 341.51 (2) of the statutes is amended to read:

341.51 **(2)** Upon registering a dealer, distributor, manufacturer or transporter the department also shall issue 2 registration plates. The department, upon

receiving a fee of $5 for each additional plate desired by a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers, $5 for each additional plate desired by a dealer, distributor or manufacturer of ~~mobile homes~~ recreational vehicles and $5 for each additional plate desired by a transporter, shall issue to the registered dealer, distributor, manufacturer or transporter the additional plates as ordered. The department may charge a fee of $2 per plate for replacing lost, damaged or illegible plates issued under this subsection.

**SECTION 2734dt.** 341.53 of the statutes is amended to read:

**341.53 Expiration of registration; transferability of plates.** Certificates of registration and registration plates issued to dealers, distributors, manufacturers or transporters shall be issued for the calendar year and are valid only during the calendar year for which issued. Registration plates are transferable from one motor vehicle, trailer or semitrailer to another motor vehicle, trailer or semitrailer and from one ~~mobile home~~ recreational vehicle to another.

**SECTION 2734hd.** 341.62 of the statutes is amended to read:

**341.62 False evidence of registration.** Whoever operates or possesses a motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer having attached thereto any plate or similar device fashioned in imitation or facsimile of or altered so as to resemble a registration plate issued by the department may be required to forfeit not more than $500.

**SECTION 2734hf.** 342.10 (1) (d) of the statutes is amended to read:

342.10 **(1)** (d) A description of the vehicle, including make, model and identification number, except that if the vehicle was last registered in another jurisdiction the make and model contained in the certificate shall be the make and model contained in the last certificate of title issued by the other jurisdiction.

**SECTION 2734hg.** 342.14 (1r) of the statutes is amended to read:

342.14 **(1r)** Upon filing an application under sub. (1) or (3) before the first day of the 2nd month beginning after the effective date of this subsection .... [revisor inserts date], an environmental impact fee of $5, by the person filing the application. Upon filing an application under sub. (1) or (3) on or after the first day of the 2nd month beginning after the effective date of this subsection .... [revisor inserts date], an environmental impact fee of $6, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management. ~~This subsection does not apply after June 30, 2001.~~

**SECTION 2734hh.** 342.18 (4) (a) of the statutes is amended to read:

342.18 **(4)** (a) Whenever application therefor accompanied by the required fee is made by a finance company licensed under s. 138.09 or 218.01, a bank organized under the laws of this state, or a national bank located in this state, and the vehicle in question is a used vehicle for which the department had issued a certificate of title to the previous owner or a vehicle previously registered in another jurisdiction or is a ~~mobile home~~ recreational vehicle.

**SECTION 2734hp.** 342.18 (4) (b) of the statutes is amended to read:

342.18 **(4)** (b) Whenever application therefor accompanied by the required fee is made by any other person and the vehicle in question is a vehicle for which the department had issued a certificate of title to the previous owner or is a vehicle previously registered in another jurisdiction or is a ~~mobile home~~ recreational vehicle and the department is satisfied that the present owner has not operated or consented to the operation of the vehicle since it was transferred to that owner and that he or she understands that the certificate of title merely is evidence of ownership of the vehicle and does not authorize operation of the vehicle on the highways of this state.

**SECTION 2734ht.** 342.22 (3) (a) of the statutes is amended to read:

342.22 **(3)** (a) For a ~~mobile home~~ recreational vehicle, 20 years.

**SECTION 2734pd.** 342.30 (2) of the statutes is amended to read:

342.30 **(2)** An identification number assigned by the department to a ~~mobile home~~ recreational vehicle, trailer or semitrailer shall be stamped upon the frame in a readily visible location. An identification number assigned to a motor vehicle manufactured prior to January 1, 1969, shall be permanently affixed to the left front pillar. The vehicle identification number for motor vehicles manufactured after January 1, 1969, shall be permanently affixed upon either a part of the vehicle that is not designed to be removed except for repair, or a separate plate which is permanently affixed to such part. The vehicle identification number shall be located inside the passenger compartment and shall be readable, without moving any part of the vehicle, through the vehicle glazing under daylight lighting conditions by an observer having 20/20 vision (Snellen) whose eyepoint is located outside the vehicle adjacent to the left windshield pillar. Identification numbers assigned for cycles shall be stamped on the left side, near the top of the engine casting just below the cylinder barrel. Such stamping or affixing shall be done under the supervision of a dealer, distributor or manufacturer registered under s. 341.51 or under the supervision of a peace officer. The person supervising the stamping or affixing shall make a report thereof to the department.

**SECTION 2734pt.** 343.055 (1) (d) of the statutes is amended to read:

343.055 **(1)** (d) *Recreational vehicle operators.* The operator of the commercial motor vehicle is a person operating a motor home, or a vehicle towing a 5th–wheel mobile home or single–unit ~~touring mobile home not exceeding 45 feet in length~~ recreational vehicle and the vehicle or combination, including both units of a

combination towing vehicle and the 5th–wheel mobile home or ~~mobile home~~ recreational vehicle, is both operated and controlled by the person and is transporting only members of the person's family, guests or their personal property. This paragraph does not apply to any transportation for hire or the transportation of any property connected to a commercial activity. In this paragraph, "controlled" means leased or owned.

**SECTION 2747.** 343.21 (2) of the statutes is amended to read:

343.21 **(2)** (a) In addition to the fees set under sub. (1), any applicant whose application for a permit, license, upgrade or endorsement, taken together with the applicant's currently valid license, if any, requires the department to administer a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle shall pay to the department an examination fee of $20 for an examination in a commercial motor vehicle other than a school bus and ~~$10~~ $15 for an examination in any other vehicle. Payment of the examination fee entitles the applicant to not more than 3 tests of the applicant's ability to exercise reasonable control in the operation of a motor vehicle. If the applicant does not qualify for issuance of a license, upgraded license or endorsement in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which payment entitles the applicant to not more than 3 additional tests.

(b) The operator shall pay to the department an examination fee of ~~$10~~ $15 for conducting the special examination requested under s. 121.555 (2) (cm), except that if the examination is in a commercial motor vehicle other than a school bus the fee is $20. Payment of the examination fee entitles the person to not more than 3 tests of the person's ability to safely operate the vehicle proposed to be used under s. 121.555 (1) (a). If the applicant does not pass the examination for safe operation of

the vehicle in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which payment entitles the person to not more than 3 additional tests.

**SECTION 2750.** 343.44 (2) (a) of the statutes, as affected by 1997 Wisconsin Act 84, is amended to read:

343.44 (2) (a) Any person who violates sub. (1) (a) <u>or a local ordinance in conformity therewith</u> shall be required to forfeit not less than $50 nor more than $200.

**SECTION 2751.** 343.44 (2) (am) of the statutes, as affected by 1997 Wisconsin Act 84, is amended to read:

343.44 **(2)** (am) Any person who violates sub. (1) (b) before May 1, ~~1999~~ <u>2002</u>, may be required to forfeit not more than $600, except that, if the person has been convicted of a previous violation described in sub. (1) (b) within the preceding 5–year period, the penalty under par. (b) shall apply.

**SECTION 2752.** 345.09 (2) of the statutes is amended to read:

345.09 **(2)** The secretary as attorney upon whom processes and notices may be served under this section shall, upon being served with such process or notice, forthwith mail by registered mail a copy thereof to such nonresident at the out–of–state nonresident address given in the papers so served. It is the duty of the party or the party's attorney to certify in the papers so served that the address given therein is the last–known out–of–state nonresident address of the party to be served. In all cases of service under this section there shall be served 2 authenticated copies for the secretary and such additional number of authenticated copies as there are defendants so served in the action. One of the secretary's copies shall be retained for the secretary's record of service and the other copy shall be returned with proper certificate of service attached for filing in court as proof of service of the copies by

having mailed them by registered mail to the defendants named therein. The service fee shall be ~~$15~~ $25 for each defendant so served. The secretary shall keep a record of all such processes and notices, which record shall show the day and hour of service.

**SECTION 2753.** 345.26 (1) (b) 1. of the statutes is amended to read:

345.26 **(1)** (b) 1. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation, and the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories and drug law enforcement assessment, if required by s. 165.755, plus any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit that the court may accept as provided in s. 345.37; and

**SECTION 2754.** 345.37 (2) of the statutes is amended to read:

345.37 **(2)** If the defendant has made a deposit under s. 345.26, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories and drug law enforcement assessment, if required by s. 165.755, plus costs, including any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons under ch. 968. If the defendant fails to appear in response to the summons, the court shall issue a warrant under ch. 968. If the court accepts the plea of no contest, the defendant may move

within 6 months after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty upon a showing to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If on reopening the defendant is found not guilty, the court shall immediately notify the department to delete the record of conviction based on the original proceeding and shall order the defendant's deposit returned.

**SECTION 2755.** 345.37 (5) of the statutes is amended to read:

345.37 **(5)** Within 5 working days after forfeiture of deposit or entry of default judgment, the official receiving the forfeiture, the penalty assessment, if required by s. ~~165.87~~ 757.05, the jail assessment, if required by s. 302.46 (1), the railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug law enforcement assessment, if required by s. 165.755, shall forward to the department a certification of the entry of default judgment or a judgment of forfeiture.

**SECTION 2756.** 345.375 (2) of the statutes is amended to read:

345.375 **(2)** Upon default of the defendant corporation or limited liability company or upon conviction, judgment for the amount of the forfeiture, the penalty assessment, if required under s. ~~165.87~~ 757.05, the jail assessment, if required by s. 302.46 (1), and the crime laboratories and drug law enforcement assessment, if required under s. 165.755, shall be entered.

**SECTION 2757.** 345.47 (1) (intro.) of the statutes is amended to read:

345.47 **(1)** (intro.) If the defendant is found guilty, the court may enter judgment against the defendant for a monetary amount not to exceed the maximum forfeiture, penalty assessment, if required by s. ~~165.87~~ 757.05, the jail assessment, if required by s. 302.46 (1), the railroad crossing improvement assessment, if

required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug law enforcement assessment, if required by s. 165.755, provided for the violation and for costs under s. 345.53 and, in addition, may suspend or revoke his or her operating privilege under s. 343.30. If the judgment is not paid, the court shall order:

**SECTION 2758.** 345.47 (1) (b) of the statutes is amended to read:

345.47 **(1)** (b) In lieu of imprisonment and in addition to any other suspension or revocation, that the defendant's operating privilege be suspended for 30 days or until the person pays the forfeiture, the penalty assessment, if required by s. ~~165.87~~ 757.05, the jail assessment, if required by s. 302.46 (1), the railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug law enforcement assessment, if required by s. 165.755, but not to exceed 5 years. Suspension under this paragraph shall not affect the power of the court to suspend or revoke under s. 343.30 or the power of the secretary to suspend or revoke the operating privilege.

**SECTION 2759.** 345.47 (1) (c) of the statutes is amended to read:

345.47 **(1)** (c) If a court or judge suspends an operating privilege under this section, the court or judge shall immediately take possession of the suspended license and shall forward it to the department together with the notice of suspension, which shall clearly state that the suspension was for failure to pay a forfeiture, a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories and drug law enforcement assessment, if required by s. 165.755, imposed by the court. The notice of suspension and the suspended license, if it is available, shall be forwarded to the department within 48 hours after the order of suspension. If the forfeiture, penalty assessment, jail

assessment, railroad crossing improvement assessment and crime laboratories and drug law enforcement assessment are paid during a period of suspension, the court or judge shall immediately notify the department. Upon receipt of the notice and payment of the reinstatement fee under s. 343.21 (1) (j), the department shall return the surrendered license.

**SECTION 2760.** 345.49 (1) of the statutes is amended to read:

345.49 **(1)** Any person imprisoned under s. 345.47 for nonpayment of a forfeiture, a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), or a crime laboratories and drug law enforcement assessment, if required by s. 165.755, may, on request, be allowed to work under s. 303.08. If the person does work, earnings shall be applied on the unpaid forfeiture, penalty assessment, jail assessment, railroad crossing improvement assessment or crime laboratories and drug law enforcement assessment after payment of personal board and expenses and support of personal dependents to the extent directed by the court.

**SECTION 2761.** 345.61 (2) (c) of the statutes is amended to read:

345.61 **(2)** (c) "Guaranteed arrest bond certificate" as used in this section means any printed card or other certificate issued by an automobile club, association or insurance company to any of its members or insureds, which card or certificate is signed by the member or insureds and contains a printed statement that the automobile club, association or insurance company and a surety company, or an insurance company authorized to transact both automobile liability insurance and surety business, guarantee the appearance of the persons whose signature appears on the card or certificate and that they will in the event of failure of the person to

appear in court at the time of trial, pay any fine or forfeiture imposed on the person, including the penalty assessment required by s. ~~165.87~~ 757.05, the jail assessment required by s. 302.46 (1), the railroad crossing improvement assessment required by s. 346.177, 346.495 or 346.65 (4r) and the crime laboratories and drug law enforcement assessment required by s. 165.755, in an amount not exceeding $200, or $1,000 as provided in sub. (1) (b).

**SECTION 2776.** 348.25 (8) (a) 1. of the statutes is amended to read:

348.25 **(8)** (a) 1. For a vehicle or combination of vehicles which exceeds length limitations, $15, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $17.

**SECTION 2777.** 348.25 (8) (a) 2. of the statutes is amended to read:

348.25 **(8)** (a) 2. For a vehicle or combination of vehicles which exceeds either width limitations or height limitations, $20, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $22.

**SECTION 2778.** 348.25 (8) (a) 2m. of the statutes is amended to read:

348.25 **(8)** (a) 2m. For a vehicle or combination of vehicles which exceeds both width and height limitations, $25, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $28.

**SECTION 2779.** 348.25 (8) (a) 3. of the statutes is amended to read:

348.25 **(8)** (a) 3. For a vehicle or combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3), 10% of the fee specified in par. (b) 3. for

an annual permit for the comparable gross weight, rounded to the nearest whole dollar.

**SECTION 2780.** 348.25 (8) (b) 1. of the statutes is amended to read:

348.25 **(8)** (b) 1. For a vehicle or combination of vehicles which exceeds length limitations, $60, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $66.

**SECTION 2781.** 348.25 (8) (b) 2. of the statutes is amended to read:

348.25 **(8)** (b) 2. For a vehicle or combination of vehicles which exceeds width limitations or height limitations or both, $90, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $99.

**SECTION 2782.** 348.25 (8) (b) 3. a. of the statutes is amended to read:

348.25 **(8)** (b) 3. a. If the gross weight is 90,000 pounds or less, $200, except that if the application for a permit for a vehicle described in this subd. 3. a. is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $220.

**SECTION 2783.** 348.25 (8) (b) 3. b. of the statutes is amended to read:

348.25 **(8)** (b) 3. b. If the gross weight is more than 90,000 pounds but not more than 100,000 pounds, $350, except that if the application for a permit for a vehicle described in this subd. 3. b. is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $385.

**SECTION 2784.** 348.25 (8) (b) 3. c. of the statutes is amended to read:

348.25 **(8)** (b) 3. c. If the gross weight is greater than 100,000 pounds, $350 plus $100 for each 10,000–pound increment or fraction thereof by which the gross weight exceeds 100,000 pounds, except that if the application for a permit for a vehicle

described in this subd. 3. c. is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $385 plus $110 for each 10,000–pound increment or fraction thereof by which the gross weight exceeds 100,000 pounds.

**SECTION 2785.** 348.25 (8) (bm) of the statutes is renumbered 348.25 (8) (bm) 1. and amended to read:

348.25 **(8)** (bm) 1. Unless a different fee is specifically provided, the fee for a consecutive month permit is one–twelfth of the fee under par. (b) for an annual permit times the number of months for which the permit is desired, plus $15 for each permit issued. This subdivision does not apply to applications for permits submitted after December 31, 1999, and before July 1, 2003.

**SECTION 2786.** 348.25 (8) (bm) 2. of the statutes is created to read:

348.25 **(8)** (bm) 2. Unless a different fee is specifically provided, the fee for a consecutive month permit is one–twelfth of the fee under par. (b) for an annual permit times the number of months for which the permit is desired, plus $16.50 for each permit issued, rounded to the nearest whole dollar. This subdivision does not apply to applications submitted before January 1, 2000, or submitted after June 30, 2003.

**SECTION 2786m.** 348.25 (11) of the statutes is created to read:

348.25 **(11)** The department shall develop and implement an automated system for designating the route to be traveled by a vehicle for which a permit is issued under s. 348.26 or 348.27.

**SECTION 2793.** 350.01 (3r) of the statutes is created to read:

350.01 **(3r)** "Expedited service" means a process under which a person is able to renew a snowmobile certificate in person and with only one appearance at the site where certificates are issued.

**SECTION 2795.** 350.02 (3m) of the statutes is created to read:

350.02 **(3m)** A law enforcement officer may operate a snowmobile on a highway in performance of his or her official duties if the snowmobile is equipped with a flashing, oscillating or rotating blue light.

**SECTION 2796.** 350.05 (1) (title) of the statutes is amended to read:

350.05 **(1)** (title) ~~AGE RESTRICTION~~ PERSONS UNDER 12.

**SECTION 2797.** 350.05 (2) of the statutes is amended to read:

350.05 **(2)** ~~SNOWMOBILE~~ PERSONS AGED 12 TO 16; SNOWMOBILE SAFETY ~~PERMIT OR OPERATOR'S LICENSE REQUIRED~~ CERTIFICATES AND PROGRAM. No person ~~over the age of~~ who is at least 12 years of age but under ~~the age of~~ 16 years of age may operate a snowmobile unless he or she holds a valid snowmobile safety certificate or is accompanied by a person ~~over~~ who is at least 18 years of age or by a person ~~over~~ who is at least 14 years of age ~~having a~~ and who holds a valid snowmobile safety certificate ~~issued by the department~~. Any person who is ~~over the age of 12 and~~ at least 12 years of age but under ~~the age of~~ 16 years of age and who ~~holds~~ is required to hold a snowmobile safety certificate ~~shall carry it~~ while operating a snowmobile or while accompanying the operator on a snowmobile shall carry the certificate and shall display it to a law enforcement officer on request. Persons enrolled in a safety certification program approved by the department may operate a snowmobile in an area designated by the instructor.

**SECTION 2798.** 350.05 (2) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

350.05 **(2)** PERSONS AGED 12 AND OLDER; SNOWMOBILE SAFETY CERTIFICATES AND PROGRAM. (a) No person who is at least 12 years of age and who is born on or after

January 1, 1985, may operate a snowmobile unless he or she holds a valid snowmobile safety certificate.

(b) Any person who is required to hold a snowmobile safety certificate while operating a snowmobile shall carry the certificate on the snowmobile and shall display the certificate to a law enforcement officer on request. Persons enrolled in a safety certification program approved by the department may operate a snowmobile in an area designated by the instructor.

**SECTION 2799.** 350.05 (3) of the statutes is amended to read:

350.05 **(3)** EXCEPTIONS. This section does not apply to the operation of snowmobiles ~~by an operator under the age of 16 years~~ upon lands owned or leased by the operator's parent or guardian. As used in this section, "leased lands" does not include lands leased by an organization of which said operator or the operator's parent or guardian is a member.

**SECTION 2800.** 350.05 (4) of the statutes is amended to read:

350.05 **(4)** DEFINITION. For purposes of this section, ~~"accompanied"~~ "accompany" means ~~being~~ to be on the same snowmobile as the operator.

**SECTION 2801.** 350.055 of the statutes is amended to read:

**350.055 Safety certification program established.** The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. ~~Persons~~ Each person satisfactorily completing this program shall receive ~~certification~~ a snowmobile safety certificate from the department. The department may charge each person who enrolls in the course an

instruction fee of $5. The department shall authorize instructors conducting such courses meeting standards established by it to retain $1 of the fee to defray expenses incurred locally to conduct the program. The remaining $4 of the fee shall be retained by the department to defray a part of its expenses incurred to conduct the safety and accident reporting program. A person ~~over the age of 12 years~~ who is at least 12 years of age but under the ~~age of~~ 16 years of age who ~~holds~~ is required to hold a valid snowmobile safety certificate may operate a snowmobile in this state if the person holds a valid snowmobile safety certificate issued by another state or province of the Dominion of Canada ~~need not obtain a certificate from the department~~ and if the course content of the program in such other state or province substantially meets that established by the department under this section.

**SECTION 2802.** 350.055 of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 2801, is amended to read:

**350.055 Safety certification program established.** The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. Each person satisfactorily completing this program shall receive a snowmobile safety certificate from the department. The department ~~may charge each person who enrolls in the course~~ shall establish by rule an instruction fee ~~of $5~~ for this program. An instructor conducting a program of instruction under this section shall collect the instruction fee from each person who receives instruction. The department ~~shall authorize instructors conducting such courses meeting standards established by it to retain $1~~ may determine the portion of ~~the~~

this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred ~~locally to conduct~~ by the instructor in conducting the program. The ~~remaining $4 of the fee shall be retained by the department to defray a part of its expenses incurred to conduct the safety and accident reporting program~~ instructor shall remit the remainder of the fee or, if nothing is retained, the entire fee to the department. A person who is at least 12 years of age but under the 16 years of age who is required to hold a valid snowmobile safety certificate may operate a snowmobile in this state if the person holds a valid snowmobile safety certificate issued by another state or province of the Dominion of Canada and if the course content of the program in such other state or province substantially meets that established by the department under this section.

**SECTION 2803.** 350.055 of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 2802, is repealed and recreated to read:

**350.055 Safety certification program established.** The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. Each person satisfactorily completing this program shall receive a snowmobile safety certificate from the department. The department shall establish by rule an instruction fee for this program. An instructor conducting a program of instruction under this section shall collect the instruction fee from each person who receives instruction. The department may determine the portion of this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred by the instructor in conducting the program. The instructor shall remit the

remainder of the fee or, if nothing is retained, the entire fee to the department. A person who is required to hold a valid snowmobile safety certificate may operate a snowmobile in this state if the person holds a valid snowmobile safety certificate issued by another state or province of the Dominion of Canada and if the course content of the program in such other state or province substantially meets that established by the department under this section.

**SECTION 2805.** 350.12 (3h) of the statutes is created to read:

350.12 **(3h)** REGISTRATION; RENEWALS; AGENTS. (a) *Issuance; appointment of agents.* For the issuance of snowmobile certificates, the department may do any of the following:

1. Directly issue the certificates.

2. Appoint, as an agent of the department, the clerk of one or more counties to issue the certificates.

3. Appoint persons who are not employes of the department to issue the certificates as agents of the department.

(b) *Duplicates.* For purposes of this subsection, the issuance of a duplicate of a snowmobile certificate shall be considered the same as the issuance of an original certificate.

(c) *Agent activities.* 1. The clerk of any county appointed under par. (a) 2. or (e) may accept the appointment.

2. The department may promulgate rules regulating the activities of persons appointed under pars. (a) and (e).

(d) *Issuing fees.* An agent appointed under par. (a) 2. or 3. shall collect an issuing fee of $3 for each snowmobile certificate that the agent issues. The agent shall remit to the department $2 of each issuing fee collected.

(e) *Renewals; agents.* For the renewal of snowmobile certificates for public use or the renewal of commercial snowmobile certificates, the department may renew the certificates directly or may appoint agents in the manner specified in par. (a) 2. or 3. The department may establish an expedited service to be provided by the department and these agents to renew these types of snowmobile certificates.

(f) *Renewals; fees.* In addition to a renewal fee under sub. (3), the department may authorize that a supplemental renewal fee of $3 be collected for the renewal of snowmobile certificates that are renewed in any of the following manners:

1. By agents appointed under par. (e).

2. By the department using the expedited service.

(g) *Remittal of fees.* An agent appointed under par. (e) shall remit to the department $2 of each $3 fee collected under par. (f). Any fees remitted to or collected by the department under par. (d) or (f) shall be credited to the appropriation account under s. 20.370 (9) (hu).

**SECTION 2807.** 350.12 (3j) (b) of the statutes is amended to read:

350.12 **(3j)** (b) The fee for a trail use sticker issued for a snowmobile that is exempt from registration under sub. (2) (b) or (bn) is $12.25. A trail use sticker issued for such a snowmobile may be issued only by the department and persons appointed by the department and ~~is valid for one~~ <u>expires on June 30 of each</u> year.

**SECTION 2808.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

350.12 **(4)** (a) *Enforcement, administration and related costs.* (intro.) The moneys appropriated from s. 20.370 (3) <u>(ak) and</u> (aq), (5) (es) and (9) (mu) and (mw) may be used for the following:

**SECTION 2809.** 350.12 (4) (a) 3m. of the statutes is amended to read:

350.12 **(4)** (a) 3m. The cost of state law enforcement efforts as appropriated under s. 20.370 (3) (ak) and (aq); and

**SECTION 2810.** 350.12 (4) (am) of the statutes is amended to read:

350.12 **(4)** (am) *Enforcement aids to department.* ~~Beginning with fiscal year 1993–94, of~~ Of the amounts appropriated under s. 20.370 (3) (ak) and (aq), the department shall allocate $26,000 in each fiscal year to be used exclusively for the purchase of snowmobiles or trailers to carry snowmobiles, or both, to be used in state law enforcement efforts.

**SECTION 2811.** 350.12 (4) (b) (intro.) of the statutes is amended to read:

350.12 **(4)** (b) *Trail aids and related costs.* (intro.) The moneys appropriated under s. 20.370 (1) (mq) and (5) (cb), (cr) and (cs) shall be used for development and maintenance, the cooperative snowmobile sign program, major reconstruction or rehabilitation to improve bridges on existing approved trails, trail rehabilitation, signing of snowmobile routes, and state snowmobile trails and areas and distributed as follows:

**SECTION 2814.** 350.12 (5) (d) of the statutes is amended to read:

350.12 **(5)** (d) At the end of the registration period the department shall send the owner of each snowmobile a ~~2–part~~ renewal application. The owner shall ~~complete and~~ sign ~~one portion of~~ the renewal application and return ~~that portion~~ the application and the proper fee to the department~~. The owner shall complete and sign the other portion of the renewal application. The owner shall destroy this portion of the renewal application upon receipt of the registration certificate and decals~~ or to an agent appointed under sub. (3h) (e).

**SECTION 2816.** 351.02 (1) (a) 10. of the statutes, as affected by 1997 Wisconsin Act 84, is amended to read:

351.02 **(1)** (a) 10. Any offense under the law of another jurisdiction prohibiting conduct described in sections 6–207, 6–302, 10–102, 10–103, 10–104, 11–901,11–902, 11–907 or 11–908 of the uniform vehicle code and model traffic ordinance (1987), or prohibiting homicide or manslaughter resulting from the operation of a motor vehicle, use of a motor vehicle in the commission of a felony, reckless or careless driving or driving a motor vehicle with wilful or wanton disregard for the safety of persons or property, driving or operating a motor vehicle while under the influence of alcohol, a controlled substance, a controlled substance analog or any other drug or a combination thereof as prohibited, refusal to submit to chemical testing, ~~operating a motor vehicle while the operating privilege or operator's license is revoked or suspended,~~ perjury or the making false statements or affidavits to a governmental agency in connection with the ownership or operation of a motor vehicle, failing to stop and identify oneself as the driver or operator in the event of a motor vehicle accident with a person or an attended motor vehicle or fleeing from or attempting to elude a police, law enforcement or other peace officer, as those or substantially similar terms are used in that jurisdiction's laws.

**SECTION 2817.** 351.025 (2) (a) of the statutes, as affected by 1997 Wisconsin Act 84, is renumbered 351.025 (2) and amended to read:

351.025 **(2)** The revocation is effective on the date the department mails the notice of revocation~~, except as provided in par. (b)~~.

**SECTION 2818.** 351.025 (2) (b) of the statutes is repealed.

**SECTION 2819.** 409.302 (1) (i) of the statutes is renumbered 409.302 (3) (e) and amended to read:

409.302 **(3)** (e) A ~~security interest created by a~~ master lease entered into by the state under s. 16.76 (4).

**SECTION 2820.** 409.302 (3) (intro.) of the statutes is amended to read:

409.302 **(3)** (intro.) The filing provisions of this chapter are not necessary or effective to perfect a security interest in property subject to <u>any of the following</u>:

**SECTION 2821.** 409.302 (3) (a) to (c) of the statutes are amended to read:

409.302 **(3)** (a) A statute or treaty of the United States which provides for a national or international registration or a national or international certificate of title or which specifies a place of filing different from that specified in this chapter for filing of the security interest~~; or~~.

(b) The following vehicle title statutes: ss. 342.19, 342.20, 342.284 and 342.285; but during any period in which collateral is inventory held for sale by a person who is in the business of selling goods of that kind, the filing provisions of ss. 409.401 to 409.408 apply to a security interest in that collateral created by that person as debtor~~; or~~.

(bm) The following boat title statutes: ss. 30.57, 30.572 and 30.573; but during any period in which collateral is inventory held for sale by a person who is in the business of selling goods of that kind, the filing provisions of ss. 409.401 to 409.408 apply to a security interest in that collateral created by that person as debtor~~; or~~.

(c) A certificate of title statute of another jurisdiction under the law of which indication of a security interest on the certificate is required as a condition of perfection (s. 409.103 (2))~~; or~~.

**SECTION 2821m.** 409.302 (3) (f) of the statutes is created to read:

409.302 **(3)** (f) The mobile home security interest provisions under subch. V of ch. 101.

**SECTION 2822.** 409.313 (4) (e) of the statutes is created to read:

409.313 **(4)** (e) The security interest is created by a master lease entered into by the state under s. 16.76 (4), the security interest is perfected under s. 16.76 (4) (e) before the interest of the encumbrancer or owner is of record, the security interest has priority over any conflicting interest of a predecessor in title of the encumbrancer or owner and the debtor has an interest of record in the real estate.

**SECTION 2822d.** 409.407 (2m) of the statutes is created to read:

409.407 **(2m)** EXAMINATION OF INFORMATION AT AN OFFICE OF THE REGISTER OF DEEDS. (a) Upon request of any person at an office of the register of deeds, the office of the register of deeds shall allow the person to examine all of the following free of charge:

1. Financing statements, amendments, termination statements, continuation statements, statements of assignment and statements of release that are filed under ss. 409.401 to 409.408 with that office of the register of deeds.

2. Information contained in microfilms or other photographic copies provided by the department to that office of the register of deeds under s. 409.410 (3) (b) and (c).

(b) An office of the register of deeds that does not request information from the department under s. 409.410 (3) (b) shall make available at least one computer terminal for any person at the office of the register of deeds to use free of charge to examine current information under s. 409.410 (3) (b) 1. to 5. for each financing statement, amendment, termination statement, continuation statement, statement of assignment and statement of release about which information is stored in the uniform commercial code statewide lien system established under s. 409.410 (1), (2) and (3) (a).

**SECTION 2822f.** 409.410 (title) of the statutes is amended to read:

**409.410** (title) **Statewide lien system; creation; distribution of information.**

**SECTION 2822h.** 409.410 (3) of the statutes is renumbered 409.410 (3) (a).

**SECTION 2822j.** 409.410 (3) (b) of the statutes is created to read:

409.410 **(3)** (b) Upon request of an office of the register of deeds in this state, the department shall provide the office of the register of deeds with a copy of a list containing all of the following information for every financing statement, amendment, termination statement, continuation statement, statement of assignment and statement of release about which information is stored in the uniform commercial code statewide lien system under this section:

1. The type of statement or amendment.
2. The date and time of filing of the statement or amendment.
3. The file number of the statement or amendment.
4. The debtor's name and address.
5. The secured party's name and address.

**SECTION 2822L.** 409.410 (3) (c) of the statutes is created to read:

409.410 **(3)** (c) The department shall provide the copy under par. (b) to an office of the register of deeds free of charge. The department shall provide an office of the register of deeds that receives a copy under par. (b) with a copy of current information satisfying the requirements under par. (b) as often as is practicable.

**SECTION 2822m.** 411.104 (1) (a) of the statutes is amended to read:

411.104 **(1)** (a) Certificate of title statute of this state, including ss. 30.531, 101.9203 and 342.05.

**SECTION 2822o.** 422.201 (12m) of the statutes is amended to read:

422.201 **(12m)** This section does not apply to consumer credit sales of or consumer loans secured by a first lien on or equivalent security interest in mobile homes as defined in s. ~~218.10 (2)~~ 101.91 (2e), if the sales or loans are made on or after November 1, 1981.

**SECTION 2822p.** 422.209 (1m) (a) 2. of the statutes is amended to read:

422.209 **(1m)** (a) 2. The loan administration fee is for a consumer loan that is secured primarily by an interest in real property or in a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

**SECTION 2822t.** 422.413 (2g) (intro.) of the statutes is amended to read:

422.413 **(2g)** (intro.) In any consumer credit transaction in which the collateral is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71), a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft as defined in s. 114.002 (3), or a mobile home as defined in s. ~~218.10 (2)~~ 101.91 (2e), a writing evidencing the transaction may provide for the creditor's recovery of all of the following expenses, if the expenses are reasonable and bona fide:

**SECTION 2823.** 440.03 (15) of the statutes is created to read:

440.03 **(15)** The department shall promulgate rules that establish the fees specified in ss. 440.05 (10) and 440.08 (2) (d).

**SECTION 2824.** 440.05 (1) (a) of the statutes is amended to read:

440.05 **(1)** (a) Initial credential: ~~$41~~ $44. Each applicant for an initial credential shall pay the initial credential fee to the department when the application materials for the initial credential are submitted to the department.

**SECTION 2825.** 440.05 (10) of the statutes is created to read:

440.05 **(10)** Expedited service: If an applicant for a credential requests that the department process an application on an expedited basis, the applicant shall pay

a service fee that is equal to the department's best estimate of the cost of processing the application on an expedited basis, including the cost of providing counter or other special handling services.

**SECTION 2826.** 440.055 (1) of the statutes is repealed.

**SECTION 2827.** 440.055 (2) of the statutes is amended to read:

440.055 **(2)** If the department permits the payment of a fee with use of a credit card ~~under sub. (1)~~, the department shall charge a credit card service charge for each transaction. The credit card service charge shall be in addition to the fee that is being paid with the credit card and shall be sufficient to pay the costs to the department for providing this service to persons who request it, including the cost of any services for which the department contracts under sub. (3).

**SECTION 2828.** 440.08 (2) (a) 1. of the statutes is amended to read:

440.08 **(2)** (a) 1. Accountant, certified public: January 1 of each even–numbered year; ~~$47~~ $52.

**SECTION 2829.** 440.08 (2) (a) 2. of the statutes is amended to read:

440.08 **(2)** (a) 2. Accountant, public: January 1 of each even–numbered year; ~~$41~~ $44.

**SECTION 2830.** 440.08 (2) (a) 3. of the statutes is amended to read:

440.08 **(2)** (a) 3. Accounting corporation or partnership: January 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2831.** 440.08 (2) (a) 4. of the statutes is amended to read:

440.08 **(2)** (a) 4. Acupuncturist: July 1 of each odd–numbered year; ~~$73~~ $78.

**SECTION 2832.** 440.08 (2) (a) 4m. of the statutes is amended to read:

440.08 **(2)** (a) 4m. Advanced practice nurse prescriber: October 1 of each even–numbered year; ~~$41~~ $69.

**SECTION 2833.** 440.08 (2) (a) 5. of the statutes is amended to read:

440.08 **(2)** (a) 5. Aesthetician: July 1 of each odd–numbered year; ~~$77~~ $58.

**SECTION 2834.** 440.08 (2) (a) 6. of the statutes is amended to read:

440.08 **(2)** (a) 6. Aesthetics establishment: July 1 of each odd–numbered year; ~~$41~~ $47.

**SECTION 2835.** 440.08 (2) (a) 7. of the statutes is amended to read:

440.08 **(2)** (a) 7. Aesthetics instructor: July 1 of each odd–numbered year; ~~$142~~ $47.

**SECTION 2836.** 440.08 (2) (a) 9. of the statutes is amended to read:

440.08 **(2)** (a) 9. Aesthetics specialty school: July 1 of each odd–numbered year; ~~$41~~ $44.

**SECTION 2837.** 440.08 (2) (a) 11. of the statutes is amended to read:

440.08 **(2)** (a) 11. Appraiser, real estate, certified general: January 1 of each even–numbered year; ~~$95~~ $108.

**SECTION 2838.** 440.08 (2) (a) 11m. of the statutes is amended to read:

440.08 **(2)** (a) 11m. Appraiser, real estate, certified residential: January 1 of each even–numbered year; ~~$101~~ $114.

**SECTION 2839.** 440.08 (2) (a) 12. of the statutes is amended to read:

440.08 **(2)** (a) 12. Appraiser, real estate, licensed: January 1 of each even–numbered year; ~~$72~~ $134.

**SECTION 2840.** 440.08 (2) (a) 13. of the statutes is amended to read:

440.08 **(2)** (a) 13. Architect: August 1 of each even–numbered year; ~~$44~~ $49.

**SECTION 2841.** 440.08 (2) (a) 14. of the statutes is amended to read:

440.08 **(2)** (a) 14. Architectural or engineering firm, partnership or corporation: February 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2842.** 440.08 (2) (a) 14g. of the statutes is amended to read:

440.08 **(2)** (a) 14g. Auction company: January 1 of each odd–numbered year; ~~$41~~ $47.

**SECTION 2843.** 440.08 (2) (a) 14r. of the statutes is amended to read:

440.08 **(2)** (a) 14r. Auctioneer: January 1 of each odd–numbered year; ~~$100~~ $135.

**SECTION 2844.** 440.08 (2) (a) 15. of the statutes is amended to read:

440.08 **(2)** (a) 15. Audiologist: February 1 of each odd–numbered year; ~~$44~~ $100.

**SECTION 2845.** 440.08 (2) (a) 16. of the statutes is amended to read:

440.08 **(2)** (a) 16. Barbering or cosmetology establishment: July 1 of each odd–numbered year; ~~$41~~ $47.

**SECTION 2846.** 440.08 (2) (a) 17. of the statutes is amended to read:

440.08 **(2)** (a) 17. Barbering or cosmetology instructor: July 1 of each odd–numbered year; ~~$139~~ $91.

**SECTION 2847.** 440.08 (2) (a) 18. of the statutes is amended to read:

440.08 **(2)** (a) 18. Barbering or cosmetology manager: July 1 of each odd–numbered year; ~~$61~~ $68.

**SECTION 2848.** 440.08 (2) (a) 20. of the statutes is amended to read:

440.08 **(2)** (a) 20. Barber or cosmetologist: July 1 of each odd–numbered year; ~~$52~~ $55.

**SECTION 2849.** 440.08 (2) (a) 24. of the statutes is amended to read:

440.08 **(2)** (a) 24. Chiropractor: January 1 of each odd–numbered year; ~~$162~~ $139.

**SECTION 2850.** 440.08 (2) (a) 25. of the statutes is amended to read:

440.08 **(2)** (a) 25. Dental hygienist: October 1 of each odd–numbered year; ~~$41~~ $48.

**SECTION 2851.** 440.08 (2) (a) 26. of the statutes is amended to read:

440.08 **(2)** (a) 26. Dentist: October 1 of each odd–numbered year; ~~$98~~ $105.

**SECTION 2852.** 440.08 (2) (a) 27. of the statutes is amended to read:

440.08 **(2)** (a) 27. Designer of engineering systems: February 1 of each even–numbered year; ~~$47~~ $52.

**SECTION 2853.** 440.08 (2) (a) 27m. of the statutes is amended to read:

440.08 **(2)** (a) 27m. Dietitian: November 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2854.** 440.08 (2) (a) 28. of the statutes is amended to read:

440.08 **(2)** (a) 28. Drug distributor: June 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2855.** 440.08 (2) (a) 29. of the statutes is amended to read:

440.08 **(2)** (a) 29. Drug manufacturer: June 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2856.** 440.08 (2) (a) 30. of the statutes is amended to read:

440.08 **(2)** (a) 30. Electrologist: July 1 of each odd–numbered year; ~~$77~~ $65.

**SECTION 2857.** 440.08 (2) (a) 31. of the statutes is amended to read:

440.08 **(2)** (a) 31. Electrology establishment: July 1 of each odd–numbered year; ~~$41~~ $47.

**SECTION 2858.** 440.08 (2) (a) 34. of the statutes is amended to read:

440.08 **(2)** (a) 34. Electrology specialty school: July 1 of each odd–numbered year; ~~$41~~ $44.

**SECTION 2859.** 440.08 (2) (a) 35. of the statutes is amended to read:

440.08 **(2)** (a) 35. Engineer, professional: August 1 of each even–numbered year; ~~$43~~ $49.

**SECTION 2860.** 440.08 (2) (a) 35m. of the statutes is amended to read:

440.08 **(2)** (a) 35m. Fund–raising counsel: September 1 of each even–numbered year; ~~$41~~ $44.

**SECTION 2861.** 440.08 (2) (a) 36. of the statutes is amended to read:

440.08 **(2)** (a) 36. Funeral director: January 1 of each even–numbered year; ~~$144~~ $140.

**SECTION 2862.** 440.08 (2) (a) 37. of the statutes is amended to read:

440.08 **(2)** (a) 37. Funeral establishment: June 1 of each odd–numbered year; ~~$41~~ $47.

**SECTION 2863.** 440.08 (2) (a) 38. of the statutes is amended to read:

440.08 **(2)** (a) 38. Hearing instrument specialist: February 1 of each ~~even–numbered~~ odd–numbered year; ~~$200~~ $100.

**SECTION 2864.** 440.08 (2) (a) 38g. of the statutes is amended to read:

440.08 **(2)** (a) 38g. Home inspector: January 1 of each odd–numbered year; ~~$41~~ $44.

**SECTION 2865.** 440.08 (2) (a) 38m. of the statutes is amended to read:

440.08 **(2)** (a) 38m. Landscape architect: August 1 of each even–numbered year; ~~$41~~ $51.

**SECTION 2866.** 440.08 (2) (a) 39. of the statutes is amended to read:

440.08 **(2)** (a) 39. Land surveyor: February 1 of each even–numbered year; ~~$69~~ $75.

**SECTION 2867.** 440.08 (2) (a) 42. of the statutes is amended to read:

440.08 **(2)** (a) 42. Manicuring establishment: July 1 of each odd–numbered year; ~~$41~~ $44.

**SECTION 2868.** 440.08 (2) (a) 43. of the statutes is amended to read:

440.08 **(2)** (a) 43. Manicuring instructor: July 1 of each odd–numbered year; ~~$112~~ $44.

**SECTION 2869.** 440.08 (2) (a) 45. of the statutes is amended to read:

440.08 **(2)** (a) 45. Manicuring specialty school: July 1 of each odd–numbered year; ~~$41~~ $44.

**SECTION 2870.** 440.08 (2) (a) 46. of the statutes is amended to read:

440.08 **(2)** (a) 46. Manicurist: July 1 of each odd–numbered year; ~~$78~~ $131.

**SECTION 2871.** 440.08 (2) (a) 46m. of the statutes is amended to read:

440.08 **(2)** (a) 46m. Marriage and family therapist: July 1 of each odd–numbered year; ~~$66~~ $82.

**SECTION 2872.** 440.08 (2) (a) 48. of the statutes is amended to read:

440.08 **(2)** (a) 48. Nurse, licensed practical: May 1 of each odd–numbered year; ~~$48~~ $54.

**SECTION 2873.** 440.08 (2) (a) 49. of the statutes is amended to read:

440.08 **(2)** (a) 49. Nurse, registered: March 1 of each even–numbered year; ~~$46~~ $52.

**SECTION 2874.** 440.08 (2) (a) 50. of the statutes is amended to read:

440.08 **(2)** (a) 50. Nurse–midwife: March 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2875.** 440.08 (2) (a) 51. of the statutes is amended to read:

440.08 **(2)** (a) 51. Nursing home administrator: July 1 of each even–numbered year; ~~$102~~ $111.

**SECTION 2876.** 440.08 (2) (a) 52. of the statutes is amended to read:

440.08 **(2)** (a) 52. Occupational therapist: November 1 of each odd–numbered year; ~~$42~~ $49.

**SECTION 2877.** 440.08 (2) (a) 53. of the statutes is amended to read:

440.08 **(2)** (a) 53. Occupational therapy assistant: November 1 of each odd–numbered year; ~~$42~~ $48.

**SECTION 2878.** 440.08 (2) (a) 54. of the statutes is amended to read:

440.08 **(2)** (a) 54. Optometrist: January 1 of each even–numbered year; ~~$58~~ $61.

**SECTION 2879.** 440.08 (2) (a) 55. of the statutes is amended to read:

440.08 **(2)** (a) 55. Pharmacist: June 1 of each even–numbered year; ~~$75~~ $73.

**SECTION 2880.** 440.08 (2) (a) 56. of the statutes is amended to read:

440.08 **(2)** (a) 56. Pharmacy: June 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2881.** 440.08 (2) (a) 57. of the statutes is amended to read:

440.08 **(2)** (a) 57. Physical therapist: November 1 of each odd–numbered year; ~~$46~~ $51.

**SECTION 2882.** 440.08 (2) (a) 58. of the statutes is amended to read:

440.08 **(2)** (a) 58. Physician: November 1 of each odd–numbered year; ~~$110~~ $122.

**SECTION 2883.** 440.08 (2) (a) 59. of the statutes is amended to read:

440.08 **(2)** (a) 59. Physician assistant: November 1 of each odd–numbered year; ~~$51~~ $59.

**SECTION 2884.** 440.08 (2) (a) 60. of the statutes is amended to read:

440.08 **(2)** (a) 60. Podiatrist: November 1 of each odd–numbered year; ~~$180~~ $140.

**SECTION 2885.** 440.08 (2) (a) 61. of the statutes is amended to read:

440.08 **(2)** (a) 61. Private detective: September 1 of each even–numbered year; ~~$178~~ $89.

**SECTION 2886.** 440.08 (2) (a) 62. of the statutes is amended to read:

440.08 **(2)** (a) 62. Private detective agency: September 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2887.** 440.08 (2) (a) 63. of the statutes is amended to read:

440.08 **(2)** (a) 63. Private practice school psychologist: October 1 of each odd–numbered year; ~~$67~~ $69.

**SECTION 2888.** 440.08 (2) (a) 63g. of the statutes is amended to read:

440.08 **(2)** (a) 63g. Private security person: September 1 of each even–numbered year; ~~$41~~ $49.

**SECTION 2889.** 440.08 (2) (a) 63m. of the statutes is amended to read:

440.08 **(2)** (a) 63m. Professional counselor: July 1 of each odd–numbered year; ~~$55~~ $63.

**SECTION 2890.** 440.08 (2) (a) 63t. of the statutes is amended to read:

440.08 **(2)** (a) 63t. Professional fund–raiser: September 1 of each even–numbered year; ~~$61~~ $91.

**SECTION 2891.** 440.08 (2) (a) 63u. of the statutes is amended to read:

440.08 **(2)** (a) 63u. Professional geologist: August 1 of each even–numbered year; ~~$42~~ $48.

**SECTION 2892.** 440.08 (2) (a) 63v. of the statutes is amended to read:

440.08 **(2)** (a) 63v. Professional geology, hydrology or soil science firm, partnership or corporation: August 1 of each even–numbered year; ~~$42~~ $44.

**SECTION 2893.** 440.08 (2) (a) 63w. of the statutes is amended to read:

440.08 **(2)** (a) 63w. Professional hydrologist: August 1 of each even–numbered year; ~~$42~~ $44.

**SECTION 2894.** 440.08 (2) (a) 63x. of the statutes is amended to read:

440.08 **(2)** (a) 63x. Professional soil scientist: August 1 of each even–numbered year; ~~$42~~ $44.

**SECTION 2895.** 440.08 (2) (a) 64. of the statutes is amended to read:

440.08 **(2)** (a) 64. Psychologist: October 1 of each odd–numbered year; ~~$107~~ $105.

**SECTION 2896.** 440.08 (2) (a) 65. of the statutes is amended to read:

440.08 **(2)** (a) 65. Real estate broker: January 1 of each odd–numbered year; ~~$125~~ $109.

**SECTION 2897.** 440.08 (2) (a) 66. of the statutes is amended to read:

440.08 **(2)** (a) 66. Real estate business entity: January 1 of each odd–numbered year; ~~$71~~ $57.

**SECTION 2898.** 440.08 (2) (a) 67. of the statutes is amended to read:

440.08 **(2)** (a) 67. Real estate salesperson: January 1 of each odd–numbered year; ~~$73~~ $79.

**SECTION 2899.** 440.08 (2) (a) 67m. of the statutes is amended to read:

440.08 **(2)** (a) 67m. Registered interior designer: August 1 of each even–numbered year; ~~$41~~ $47.

**SECTION 2900.** 440.08 (2) (a) 67q. of the statutes, as created by 1997 Wisconsin Act 156, is amended to read:

440.08 **(2)** (a) 67q. Registered massage therapist or bodyworker: March 1 of each odd–numbered year; ~~$41~~ $44.

**SECTION 2901.** 440.08 (2) (a) 67v. of the statutes, as created by 1997 Wisconsin Act 261, is amended to read:

440.08 **(2)** (a) 67v. Registered music, art or dance therapist: October 1 of each odd–numbered year; ~~$41~~ $44.

**SECTION 2902.** 440.08 (2) (a) 68. of the statutes is amended to read:

440.08 **(2)** (a) 68. Respiratory care practitioner: November 1 of each odd–numbered year; ~~$42~~ $50.

**SECTION 2903.** 440.08 (2) (a) 68d. of the statutes is amended to read:

440.08 **(2)** (a) 68d. Social worker: July 1 of each odd–numbered year; ~~$44~~ $54.

**SECTION 2904.** 440.08 (2) (a) 68h. of the statutes is amended to read:

440.08 **(2)** (a) 68h. Social worker, advanced practice: July 1 of each odd–numbered year; ~~$46~~ $53.

**SECTION 2905.** 440.08 (2) (a) 68p. of the statutes is amended to read:

440.08 **(2)** (a) 68p. Social worker, independent: July 1 of each odd–numbered year; ~~$49~~ $55.

**SECTION 2906.** 440.08 (2) (a) 68t. of the statutes is amended to read:

440.08 **(2)** (a) 68t. Social worker, independent clinical: July 1 of each odd–numbered year; ~~$57~~ $69.

**SECTION 2907.** 440.08 (2) (a) 68v. of the statutes is amended to read:

440.08 **(2)** (a) 68v. Speech–language pathologist: February 1 of each odd–numbered year; ~~$44~~ $53.

**SECTION 2908.** 440.08 (2) (a) 69. of the statutes is amended to read:

440.08 **(2)** (a) 69. Time–share salesperson: January 1 of each odd–numbered year; ~~$61~~ $103.

**SECTION 2909.** 440.08 (2) (a) 70. of the statutes is amended to read:

440.08 **(2)** (a) 70. Veterinarian: January 1 of each even–numbered year; ~~$82~~ $95.

**SECTION 2910.** 440.08 (2) (a) 71. of the statutes is amended to read:

440.08 **(2)** (a) 71. Veterinary technician: January 1 of each even–numbered year; ~~$42~~ $48.

**SECTION 2911.** 440.08 (2) (d) of the statutes is created to read:

440.08 **(2)** (d) If an applicant for credential renewal requests that the department process an application on an expedited basis, the applicant shall pay a service fee that is equal to the department's best estimate of the cost of processing the application on an expedited basis, including the cost of providing counter or other special handling services.

**SECTION 2912.** 440.23 (1) of the statutes is amended to read:

440.23 **(1)** If the holder of a credential pays a fee required under s. 440.05 (1) or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check or debit or credit card and the check is not paid by the ~~bank~~ financial institution upon which the check is drawn or if the demand for payment under the debit or credit card transaction is not paid by the financial institution upon which demand is made, the department may cancel the credential on or after the 60th day after the department receives the notice from the ~~bank~~ financial institution, subject to sub. (2).

**SECTION 2913.** 440.23 (2) (intro.) of the statutes is amended to read:

440.23 **(2)** (intro.) At least 20 days before canceling a credential, the department shall mail a notice to the holder of the credential that informs the holder that the check or demand for payment under the debit or credit card transaction was not paid by the ~~bank~~ financial institution and that the holder's credential may be

canceled on the date determined under sub. (1) unless the holder does all of the following before that date:

**SECTION 2914.** 440.23 (2) (a) of the statutes is amended to read:

440.23 **(2)** (a) Pays the fee for which the unpaid check or demand for payment under the credit or debit card transaction was issued.

**SECTION 2915.** 440.41 (5m) of the statutes is renumbered 440.01 (1) (am).

**SECTION 2922.** 440.92 (3) (c) 3. of the statutes is amended to read:

440.92 **(3)** (c) 3. The preneed seller files with the department a bond furnished by a surety company authorized to do business in this state or an irrevocable letter of credit from a financial institution~~, as defined in s. 157.19 (1),~~ and the amount of the bond or letter of credit is sufficient to secure the cost to the cemetery authority of constructing the mausoleum.

**SECTION 2923m.** 440.982 (1) (b) of the statutes is amended to read:

440.982 **(1)** (b) Promulgate rules establishing the education, training or competency requirements that an applicant for a license must satisfy in order to be issued a license of registration under this subchapter. The rules shall require an applicant to complete at least 500 classroom hours of study in a course of instruction at a school of massage therapy or bodywork approved under s. ~~39.51~~ 45.54 and the rules may require an applicant to pass an examination, administered or approved by the department, to determine fitness to practice massage therapy or bodywork.

**SECTION 2924.** 459.09 of the statutes is amended to read:

**459.09 Renewal of license.** Each person issued a license under this subchapter shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), pay to the department the applicable renewal fee specified under s. 440.08 (2) (a) and, for a license that expires on or after February 1, 2001, submit with the

renewal application proof that he or she completed, within the 2 years immediately preceding the date of his or her application, 20 hours of continuing education programs or courses of study approved or required under rules promulgated under s. 459.095. A licensee shall keep the certificate conspicuously posted in his or her office or place of business at all times. Where more than one office is operated by the licensee, duplicate certificates shall be issued by the department for posting in each location.

**SECTION 2925.** 459.22 (2) (e) of the statutes is amended to read:

459.22 **(2)** (e) Require an ~~employe of a speech–language pathologist or audiologist~~ individual to be licensed under this subchapter to assist in the practice of speech–language pathology or audiology under the direct supervision of the speech–language pathologist or audiologist.

**SECTION 2926.** 459.24 (5) of the statutes is amended to read:

459.24 **(5)** EXPIRATION AND RENEWAL. The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under sub. (6), are specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) and, for licenses that expire on or after February 1, 2001, proof that the applicant completed, within the 2 years immediately preceding the date of his or her application, 20 hours of continuing education programs or courses of study approved or required under rules promulgated under sub. (5m).

**SECTION 2929f.** 560.045 of the statutes is renumbered 560.045 (1).

**SECTION 2929g.** 560.045 (2) of the statutes is created to read:

560.045 **(2)** The department shall expand the blight elimination and brownfield redevelopment program under subch. V of ch. Comm 108, Wis. Adm.

Code, to fund redevelopment planning and projects that will result in end uses with taxable value.

**SECTION 2931.** 560.06 (title) of the statutes is amended to read:

**560.06** (title) **Memorandum of understanding on use of allocated moneys <u>for providing assistance to a nonprofit organization</u>.**

**SECTION 2932.** 560.06 of the statutes is renumbered 560.06 (1) and amended to read:

560.06 **(1)** The department may provide assistance to a nonprofit organization that provides assistance to organizations and individuals in urban areas. No later than December 30, 1997, the department of commerce shall enter into a memorandum of understanding with the department of administration that specifies how the department of commerce may use the moneys allocated under s. 20.143 (1) (c) for providing assistance under this ~~section~~ <u>subsection</u>.

**SECTION 2933.** 560.06 (2) of the statutes is created to read:

560.06 **(2)** In fiscal year 1999–2000, the department may provide up to $100,000 from the appropriations under s. 20.143 (1) (c) and (ie) in assistance to a nonprofit organization that provides assistance to organizations and individuals in urban areas. Notwithstanding sub. (1), the department shall use the moneys authorized under this subsection in accordance with the memorandum of understanding under sub. (1).

**SECTION 2937.** 560.081 (2) (h) of the statutes is amended to read:

560.081 **(2)** (h) Provide training, technical assistance and information on the revitalization of business areas to municipalities which do not participate in the state main street program. <u>The department may charge reasonable fees for the services and information provided under this paragraph. The department shall</u>

deposit all fees collected under this paragraph in the appropriation account under s. 20.143 (1) (g).

**SECTION 2937d.** 560.081 (3) of the statutes is created to read:

560.081 **(3)** (a) From the appropriations under s. 20.143 (1) (c) and (ie), the department may award grants to municipalities participating in the state main street program to fund revitalization and other activities related to participation in the program.

(b) The department may not award more than $250,000 annually in grants under this subsection.

(c) The department shall promulgate rules for applying for, awarding and administering the grants under this subsection, including rules related to acceptable uses for the grant proceeds and reporting on the use of the grant proceeds.

**SECTION 2937r.** 560.13 (title) of the statutes is amended to read:

**560.13** (title) **Brownfields and groundwater contamination grant program.**

**SECTION 2938c.** 560.13 (2) (a) 1. of the statutes is amended to read:

560.13 **(2)** (a) 1. The recipient uses the grant proceeds for brownfields redevelopment or associated environmental remediation activities or for a project relating to the remediation of area–wide groundwater contamination.

**SECTION 2938f.** 560.13 (2) (a) 2. (intro.) of the statutes is amended to read:

560.13 **(2)** (a) 2. (intro.) All of the following are unknown, cannot be located or are financially unable to pay the cost of brownfields redevelopment or associated environmental remediation activities or of a groundwater contamination remediation project:

**SECTION 2938m.** 560.13 (2) (a) 4. of the statutes is created to read:

560.13 **(2)** (a) 4. The recipient is unable to obtain from any other source sufficient funding to complete the project and documents this inability to the satisfaction of the department.

**SECTION 2944c.** 560.13 (4) (a) (intro.) of the statutes is amended to read:

560.13 **(4)** (a) (intro.) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year ~~1997–98, and from the appropriation under s. 20.143 (1) (qm) in fiscal year 1998–99~~ 1999–2000, the department shall award all of the following ~~in each of those fiscal years~~:

**SECTION 2945c.** 560.13 (4) (a) 1. of the statutes is amended to read:

560.13 **(4)** (a) 1. A total of ~~$750,000~~ $870,000 in grants that do not exceed $300,000.

**SECTION 2945d.** 560.13 (4) (a) 2. of the statutes is amended to read:

560.13 **(4)** (a) 2. A total of ~~$1,750,000~~ $2,030,000 in grants that are greater than $300,000 but that do not exceed $700,000.

**SECTION 2945e.** 560.13 (4) (a) 3. of the statutes is amended to read:

560.13 **(4)** (a) 3. A total of ~~$2,500,000~~ $2,900,000 in grants that are greater than $700,000 but that do not exceed $1,250,000.

**SECTION 2945m.** 560.13 (4) (am) of the statutes is created to read:

560.13 **(4)** (am) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year 2000–01, the department shall award all of the following:

1. A total of $960,000 in grants that do not exceed $300,000.

2. A total of $2,240,000 in grants that are greater than $300,000 but that do not exceed $700,000.

3. A total of $3,200,000 in grants that are greater than $700,000 but that do not exceed $1,250,000.

**SECTION 2946m.** 560.13 (4) (d) of the statutes is created to read:

560.13 **(4)** (d) The department shall award 50% of the amount required to be awarded in a fiscal year for projects, such as housing and recreational projects, for which the grant applications are evaluated without consideration of the number of jobs that will be created by the projects.

**SECTION 2948c.** 560.13 (6m) of the statutes is created to read:

560.13 **(6m)** Receipt of a grant under this section shall not render the recipient ineligible for a loan or any other grant awarded by the state, unless under the eligibility criteria of the loan or other grant the recipient is excluded by virtue of having received the grant.

**SECTION 2952.** 560.137 of the statutes is created to read:

**560.137 Gaming economic development grants and loans. (1)** In this section:

(a) "Native American business" means a sole proprietorship, partnership, limited liability company, joint venture or corporation that is at least 51% owned, controlled and actively managed by a member or members of a federally recognized American Indian tribe or band in this state.

(b) "Professional services" has the meaning given in s. 560.17 (1) (c).

(c) "Qualified business" means an existing business, including a Native American business, that is located in this state.

**(2)** Subject to subs. (3), (4) and (5), from the appropriations under s. 20.143 (1) (ig) and (kj), the department may do all of the following:

(a) Make a grant that does not exceed $15,000 to a qualified business for professional services.

(b) Make a grant or loan that does not exceed $100,000 to a qualified business for fixed asset financing.

**(3)** The department may not make a grant or loan to a qualified business under this section unless the department determines all of the following:

(a) That the qualified business has been negatively impacted by the existence of a casino.

(b) That the qualified business has a legitimate need for the grant or loan to improve the profitability of the business.

**(4)** As a condition of approval of a grant or loan under this section, the department shall require that the qualified business provide matching funds for at least 25% of the cost of the project. The department may waive the requirement under this subsection if the department determines that the qualified business is subject to extreme financial hardship.

**(5)** The department may not award a grant or loan under this section to a qualified business for any purpose that is related to tourism unless the department of tourism concurs in the award.

**(6)** (a) The department shall deposit into the appropriation account under s. 20.143 (1) (ig) all moneys received in repayment of loans made under this section.

(b) The department may forgive all or any part of a loan made under this section.

**SECTION 2953.** 560.138 of the statutes is created to read:

**560.138 Gaming economic diversification grants and loans. (1)** In this section:

(a) "Native American business" means a sole proprietorship, partnership, limited liability company, joint venture or corporation that is at least 51% owned,

controlled and actively managed by a member or members of a federally recognized American Indian tribe or band in this state.

(b) "Qualified business" means an existing business, including a Native American business, that is located in or expanding into this state.

**(2)** (a) Subject to subs. (3) and (4), from the appropriations under s. 20.143 (1) (id) and (km), the department may make a grant or loan to a qualified business for a project for the purpose of diversifying the economy of a community.

(b) In determining whether to award a grant or loan under this section, the department shall consider all of the following:

1. A project's potential to retain or increase the number of jobs.

2. A project's potential to provide for significant capital investment.

3. A project's contribution to the economy of the community.

**(3)** As a condition of approval of a grant or loan under this section, the department shall require that a qualified business provide matching funds for at least 25% of the cost of a project.

**(4)** The department may not award a grant or loan under this section to a qualified business for any purpose that is related to tourism unless the department of tourism concurs in the award.

**(5)** The department shall deposit into the appropriation account under s. 20.143 (1) (id) all moneys received in repayment of loans made under this section.

**SECTION 2953g.** 560.139 of the statutes is created to read:

**560.139 Economic development grants. (1)** REMEDIATION AND ECONOMIC REDEVELOPMENT. (a) Subject to par. (b), from the appropriation under s. 20.143 (1) (kj), the department shall make grants annually to the city of Milwaukee to fund a program to be administered by the Milwaukee Economic Development Corporation.

Under the program, the Milwaukee Economic Development Corporation shall provide grants to persons for remediation and economic redevelopment projects in the Menomonee valley. A person may not receive a grant unless the person provides matching funds for at least 50% of the cost of the project.

(b) The department may not expend more than $1,000,000 in grants to the city of Milwaukee under this subsection annually.

**(2)** COMMUNITY–BASED VENTURE FUND. (a) From the appropriation under s. 20.143 (1) (kj), the department shall make grants to the Northwest Regional Planning Commission to match federal or private funds for the purpose of establishing a community–based venture fund. Subject to par. (b), the department shall provide grants each year in an amount that equals 50% of the total amount that the Northwest Regional Planning Commission receives in the year from federal or private sources for the community–based venture fund.

(b) The department may not expend more than $150,000 in grants under this subsection annually.

**SECTION 2953h.** 560.139 (1) (a) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

560.139 **(1)** (a) Subject to par. (b), from the appropriation under s. 20.143 (1) (kj) <u>or (km) or from both appropriations</u>, the department shall make grants annually to the city of Milwaukee to fund a program to be administered by the Milwaukee Economic Development Corporation. Under the program, the Milwaukee Economic Development Corporation shall provide grants to persons for remediation and economic redevelopment projects in the Menomonee valley. A person may not receive a grant unless the person provides matching funds for at least 50% of the cost of the project.

**SECTION 2953i.** 560.139 (2) (a) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

560.139 **(2)** (a) From the appropriation under s. 20.143 (1) (kj) or (km) or from both appropriations, the department shall make grants to the Northwest Regional Planning Commission to match federal or private funds for the purpose of establishing a community–based venture fund. Subject to par. (b), the department shall provide grants each year in an amount that equals 50% of the total amount that the Northwest Regional Planning Commission receives in the year from federal or private sources for the community–based venture fund.

**SECTION 2954.** 560.14 (4) (a) of the statutes is renumbered 560.14 (4), and 560.14 (4) (intro.), (f) and (g), as renumbered, are amended to read:

560.14 **(4)** (intro.) ~~Subject to par. (b), the~~ The department may make a grant under this subsection from the appropriation under s. 20.143 (1) (fg) to a community–based organization for regional economic development activity if all of the following apply:

(f) The applicants submit a plan that describes the economic development activity, how the economic development activity satisfies the criteria under this ~~paragraph~~ subsection, how the grant will be administered and how the grant proceeds will be used to support the economic development activity; and the secretary approves the plan.

(g) The applicants provide documentation of the contributions required under ~~subd. 5~~ par. (e).

**SECTION 2955.** 560.14 (4) (b) of the statutes is repealed.

**SECTION 2955m.** 560.17 (5r) of the statutes is created to read:

560.17 **(5r)** (a) Under this subsection, the board may award to a business a loan that does not exceed $50,000 if all of the following apply:

1. The business, together with any affiliate, subsidiary or parent entity, has fewer than 50 employes.

2. The business is or will be located in a rural municipality.

3. The rural municipality in which the business is or will be located satisfies either of the following criteria:

a. The rural municipality is located in a county that has a median household income that is lower than the state median household income.

b. If the rural municipality is located in a county that has a median household income that is higher than the state median household income, the rural municipality has a median household income that is lower than the county median household income.

4. The business is starting or expanding its operations.

5. The operations of the business do not involve metallic mining activities.

6. The owner of the business attends a class that provides instruction in writing a business plan, making a business loan application and managing a start–up business.

(b) A business applying for a loan under this subsection must submit an application package that includes a business plan and such personal and business financial information as the board requires to enable the board to assess sufficiently the potential viability of the business. The department shall assist a business in preparing an application.

(c) A business that receives a loan under this subsection may use the loan proceeds for any of the following purposes:

1. The purchase or improvement of land.

2. The purchase of buildings, furniture, fixtures, machinery, equipment or inventory.

3. Job training costs.

4. Employe relocation costs.

5. Working capital.

(d) If a business that receives a loan under this subsection uses the loan proceeds for employe relocation costs under par. (c) 4., the department shall ensure all of the following:

1. That an employe of the business has the option of accepting or declining any relocation assistance that is available as a result of the loan.

2. That the compensation and benefits terms offered at the new location are at least as favorable as those offered by the business at its previous location.

**SECTION 2955p.** 560.17 (6m) of the statutes is renumbered 560.17 (6m) (a) and amended to read:

560.17 **(6m)** (a) ~~In~~ Except as provided in par. (b), in order to receive a grant or loan under this section a person or business shall contribute cash, from a source other than the state, in an amount that equals at least 25% of the total cost of the project.

**SECTION 2955q.** 560.17 (6m) (b) of the statutes is created to read:

560.17 **(6m)** (b) The board shall determine whether, and the extent to which, in order to receive a loan under sub. (5r), a business must contribute from a source other than the state a portion of the cost of the project, except that the board may not require a business to contribute more than 20% of the cost of the project. The contribution may be in cash or in kind. The board shall determine what services or materials may be used as in–kind contributions.

**SECTION 2955r.** 560.17 (7) (a) of the statutes is amended to read:

560.17 **(7)** (a) Except as provided in par. (am), the department shall designate staff to evaluate applications for grants or loans and assist the board under this section. The board shall act on an application for a grant or loan at its next regularly scheduled meeting after the department determines that the application is complete, except that the board shall act on an application for a loan under sub. (5r) and advise the applicant of its decision within 45 days after the department determines that the application is complete.

**SECTION 2956.** 560.175 of the statutes is created to read:

**560.175 Urban area early planning grants. (1)** In this section:

(a) "Early planning project" means the preliminary stages of considering and planning the expansion or start–up of a business that is or will be located in an urban area in this state.

(b) "Urban area" means any of the following:

1. A city, village or town that is located in a county with a population density of at least 150 persons per square mile.

2. A city, village or town with a population of more than 6,000.

**(2)** Subject to subs. (3) and (6), the department may make a grant from the appropriation under s. 20.143 (1) (c) to a person to fund an early planning project.

**(3)** The department may not award a grant to a person under this section unless the person submits an application, in a form required by the department, that contains or describes all of the following:

(a) The location of the new or expanding business.

(b) The ownership structure of the new or expanding business.

(c) The product or service provided by the new or expanding business.

(d) The market for the product or service described in par. (c).

(e) Competition within the market described in par. (d).

(f) Any competitive advantages of the new or expanding business.

(g) The person's estimate of the gross revenue of the new or expanding business over a period specified by the department.

(h) The process for manufacturing the product, or providing the services, of the new or expanding business.

(i) An estimate of the number of jobs that will be created by the new or expanding business.

(j) The person's experience and training.

(k) The person's estimate of the profit that will be generated by the new or expanding business over a period specified by the department.

(L) The person's estimate of the capital required to complete the early planning project.

(m) Potential sources of financing for the early planning project.

(n) Any other information that the department requests.

**(4)** A person who receives a grant under this section may use the grant proceeds only for any of the following:

(a) To perform a business feasibility study.

(b) To prepare a detailed marketing plan.

(c) To prepare a detailed business plan.

**(5)** In order to receive a grant under this section a person shall contribute cash, from a source other than the state, in an amount that equals at least 25% of the total cost of the project.

**(6)** (a) In any fiscal biennium, the department may not award to any one person more than $15,000 in grants under this section.

(b) In any fiscal biennium, the department may not award more than $250,000 in grants under this section.

**SECTION 2957.** 560.183 (3) (b) of the statutes is amended to read:

560.183 **(3)** (b) The agreement shall specify that the responsibility of the department to make the payments under the agreement is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and,~~ (jm) and (kr).

**SECTION 2958.** 560.183 (5) (a) of the statutes is amended to read:

560.183 **(5)** (a) The obligation of the department to make payments under an agreement entered into under sub. (3) (b) is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and,~~ (jm) and (kr).

**SECTION 2959.** 560.183 (5) (b) (intro.) of the statutes is amended to read:

560.183 **(5)** (b) (intro.) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and,~~ (jm) and (kr), the department shall establish priorities among the eligible applicants based upon the following considerations:

**SECTION 2960.** 560.183 (8) (intro.) of the statutes is amended to read:

560.183 **(8)** ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under s. 20.143 (1) ~~(f)~~ (kr), the department shall contract with the board of regents of the University of Wisconsin System for administrative services from the office of rural health of the department of professional and community development of the University of Wisconsin Medical School. Under the contract, the office of rural health shall do all of the following:

**SECTION 2961.** 560.184 (3) (b) of the statutes is amended to read:

560.184 **(3)** (b) The agreement shall specify that the responsibility of the department to make the payments under the agreement is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and,~~ (jL) and (kr).

**SECTION 2962.** 560.184 (5) (a) of the statutes is amended to read:

560.184 **(5)** (a) The obligation of the department to make payments under an agreement entered into under sub. (3) is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and,~~ (jL) and (kr).

**SECTION 2963.** 560.184 (5) (b) (intro.) of the statutes is amended to read:

560.184 **(5)** (b) (intro.) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and,~~ (jL) and (kr), the department shall establish priorities among the eligible applicants based upon the following considerations:

**SECTION 2964.** 560.184 (7) (intro.) of the statutes is amended to read:

560.184 **(7)** ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under s. 20.143 (1) ~~(f)~~ (kr), the department shall contract with the board of regents of the University of Wisconsin System for administrative services from the office of rural health of the department of professional and community development of the University of Wisconsin Medical School. Under the contract, the office of rural health shall do all of the following:

**SECTION 2965.** 560.19 (title) of the statutes is amended to read:

**560.19** (title) **~~Hazardous pollution~~ Pollution prevention.**

**SECTION 2966.** 560.19 (1) of the statutes is amended to read:

560.19 **(1)** In this section, "~~hazardous~~ pollution prevention" has the meaning given in s. 299.13 (1) ~~(c)~~ (dm).

**SECTION 2967.** 560.19 (2) (a) 1. of the statutes is amended to read:

560.19 **(2)** (a) 1. Determining the full costs of using and producing hazardous substances, toxic pollutants and solid or hazardous waste.

**SECTION 2968.** 560.19 (2) (a) 2. of the statutes is amended to read:

560.19 **(2)** (a) 2. Identifying processes that use or produce hazardous substances, toxic pollutants or solid or hazardous waste and the composition of the hazardous substances, toxic pollutants or solid or hazardous waste.

**SECTION 2969.** 560.19 (2) (a) 3. of the statutes is amended to read:

560.19 **(2)** (a) 3. Identifying ~~hazardous~~ pollution prevention options.

**SECTION 2970.** 560.19 (2) (b) 1. of the statutes is amended to read:

560.19 **(2)** (b) 1. The need for a ~~hazardous~~ pollution prevention assessment and a program participant's willingness to participate in an assessment.

**SECTION 2971.** 560.19 (2) (b) 2. of the statutes is amended to read:

560.19 **(2)** (b) 2. The technical and financial ability of a program participant to implement ~~hazardous~~ pollution prevention.

**SECTION 2972.** 560.19 (2) (b) 3. of the statutes is amended to read:

560.19 **(2)** (b) 3. The potential for others to use the information gained from a ~~hazardous~~ pollution prevention assessment.

**SECTION 2973.** 560.19 (3) of the statutes is amended to read:

560.19 **(3)** In coordination with the ~~hazardous pollution prevention program~~ solid and hazardous waste education center under s. 36.25 (30) and the department of natural resources, the department shall conduct an education, environmental

management and technical assistance program to promote ~~hazardous~~ pollution prevention among businesses in the state.

**SECTION 2974.** 560.20 (1) (f) of the statutes is amended to read:

560.20 **(1)** (f) "Small business" means a for–profit business having fewer than ~~25~~ 100 full–time employes.

**SECTION 2975.** 560.20 (2) (a) of the statutes is amended to read:

560.20 **(2)** (a) The department may provide technical assistance to an individual, small business or nonprofit organization. In addition to or in lieu of the technical assistance provided by the department and subject to par. (e), the department may make a grant to an individual, small business or nonprofit organization from the appropriation under s. 20.143 (1) (en) to partially fund technical assistance provided to the individual, small business or nonprofit organization. Technical assistance or a grant for technical assistance provided under this paragraph shall be for the purpose of developing and planning, at the preliminary stages, the start–up or expansion of a for–profit business that is or will be located in this state.

**SECTION 2976.** 560.20 (2) (e) of the statutes is created to read:

560.20 **(2)** (e) If the department makes a grant under par. (a), the department may contract directly with and pay grant proceeds directly to any person providing technical assistance to the individual, small business or nonprofit organization for the purpose specified in par. (a).

**SECTION 2977.** 560.20 (3) (a) (intro.) of the statutes is amended to read:

560.20 **(3)** (a) (intro.) ~~The~~ Subject to par. (cm), the department may award funds appropriated under s. 20.143 (1) (en) and (in) to an individual, small business or

nonprofit organization for use in connection with the start–up or expansion of a for–profit business if all of the following apply:

**SECTION 2978.** 560.20 (3) (cm) of the statutes is created to read:

560.20 **(3)** (cm) If the department awards a grant under this subsection, the department may contract directly with and pay grant proceeds directly to any person providing management assistance to the individual, small business or nonprofit organization.

**SECTION 2979.** 560.25 of the statutes is created to read:

**560.25 Manufacturing extension center grants. (1)** DEFINITIONS. In this section:

(a) "Biotechnology" means technology related to life sciences.

(b) "Business" means a company located in this state, a company that has made a firm commitment to locate a facility in this state or a group of companies at least 80% of which are located in this state.

(c) "Technology" includes biotechnology.

(d) "Technology–based nonprofit organization" means a nonprofit corporation, as defined in s. 181.0103 (17), or an organization described in section 501 (c) (3) of the Internal Revenue Code that is exempt from federal income tax under section 501 (a) of the Internal Revenue Code, and that has as a mission the transfer of technology to businesses in this state.

**(2)** GRANTS. Subject to subs. (4) and (5), the department may make a grant from the appropriation under s. 20.143 (1) (ie) to a technology–based nonprofit organization to provide support for a manufacturing extension center if all of the following apply:

(a) The technology–based nonprofit organization submits to the department a plan detailing its proposed expenditures and performance measures related to the project.

(b) The secretary approves the plan submitted under par. (a).

**(3)** RESTRICTION ON GRANT RECIPIENTS. A technology–based nonprofit organization that receives a grant under this section is thereafter ineligible to receive a grant or loan under subch. V.

**(4)** LIMIT ON GRANTS. The department may not award more than $1,000,000 in grants under this section in a fiscal year.

**(5)** PROGRAM SUNSET. The department may not encumber any moneys under this section after June 30, 2001.

**SECTION 2984.** 560.60 (4) of the statutes is amended to read:

560.60 **(4)** "Eligible recipient" means a governing body or a person who is eligible to receive ~~a grant under s. 560.615,~~ a grant or loan under s. 560.62, a grant or loan under s. 560.63 or a grant or loan under s. 560.65.

**SECTION 2985.** 560.60 (10) of the statutes is amended to read:

560.60 **(10)** "Job" means a ~~regular, nonseasonal full–time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays~~ position providing full–time equivalent employment. "Job" does not include initial training before an employment position begins.

**SECTION 2986.** 560.605 (1) (e) (intro.) and 1. of the statutes are consolidated, renumbered 560.605 (1) (e) and amended to read:

560.605 **(1)** (e) ~~The~~ Except as provided in s. 560.68 (6), the eligible recipient receiving the grant or loan will contribute, from funds not provided by this state,

~~whichever of the following applies: 1. Except as provided under subd. 3. and s. 560.68 (6),~~ not less than 25% of the cost of the project.

**SECTION 2987.** 560.605 (1) (e) 3. of the statutes is repealed.

**SECTION 2988.** 560.605 (1) (f) of the statutes is amended to read:

560.605 **(1)** (f) The project meets all criteria set forth in s. ~~560.615,~~ 560.62, 560.63, 560.65 or 560.66, whichever is appropriate.

**SECTION 2989.** 560.605 (1) (g) of the statutes is amended to read:

560.605 **(1)** (g) Funds from the grant or loan under s. ~~560.615,~~ 560.62, 560.63, 560.65 or 560.66 will not be used to pay overhead costs, except as provided in s. 560.65 (1m) (b), or to replace funds from any other source.

**SECTION 2990.** 560.605 (1) (i) of the statutes is created to read:

560.605 **(1)** (i) The eligible recipient has not received a grant under s. 560.25.

**SECTION 2991.** 560.605 (2) (intro.) of the statutes is amended to read:

560.605 **(2)** (intro.) The board shall consider all of the following before awarding a grant or loan to an eligible recipient for a project under s. ~~560.615,~~ 560.62, 560.63 or 560.66:

**SECTION 2992.** 560.605 (2m) (intro.) of the statutes is amended to read:

560.605 **(2m)** (intro.) When considering whether a project under s. ~~560.615,~~ 560.62, 560.63 or 560.66 will be located in a targeted area, the board shall consider all of the following:

**SECTION 2993.** 560.607 (3) of the statutes is created to read:

560.607 **(3)** Evaluation costs, collection costs, foreclosure costs and other costs associated with administering the loan portfolio under this subchapter, excluding staff salaries.

**SECTION 2994.** 560.61 (1) of the statutes is amended to read:

560.61 **(1)** Make a grant or loan to an eligible recipient for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. ~~560.615,~~ 560.62, 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under s. 20.143 (1) (c), (cb)~~,~~ and (ie)~~, (s) and (sm)~~.

**SECTION 2995.** 560.615 of the statutes is repealed.

**SECTION 2996.** 560.62 (4) of the statutes is renumbered 560.607, and 560.607 (intro.) and (1), as renumbered, are amended to read:

**560.607 Miscellaneous and administrative expenditures.** (intro.) In each biennium, the ~~board~~ department may expend or encumber up to a total of 1% of the moneys appropriated under s. 20.143 (1) (c) for that biennium for any of the following:

**(1)** Evaluations of proposed technical research projects under s. 560.62.

**SECTION 2996g.** 560.63 (4) of the statutes is amended to read:

560.63 **(4)** The contribution required under s. 560.605 (1) (e) may consist of funding or of in–kind contributions. Not more than 20% of the contribution of a business may consist of funding which the business receives under the federal ~~job training partnership act, 29 USC 1501 to 1781~~ Workforce Investment Act of 1998, 29 USC 2801 to 2945.

**SECTION 2997.** 560.66 (1) (intro.) of the statutes is amended to read:

560.66 **(1)** (intro.) The board may award grants and loans under s. 560.61 to eligible recipients for any project that is not eligible for a grant or loan under s. ~~560.615,~~ 560.62 or 560.63, if the board determines that the project is a major economic development project and considers all of the following:

**SECTION 2998.** 560.68 (3) of the statutes is amended to read:

560.68 **(3)** The department may charge a grant or loan recipient an origination fee of up to ~~1.5%~~ 2% of the grant or loan amount if the grant or loan exceeds $200,000

and is awarded under s. 560.63 or 560.66. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

**SECTION 2998p.** 560.737 (1) (b) of the statutes is amended to read:

560.737 **(1)** (b) A ~~job training partnership program~~ workforce investment activity under ~~29 USC 1502~~ 29 USC 2801 to 2945.

**SECTION 2999.** 560.745 (2) (a) of the statutes is amended to read:

560.745 **(2)** (a) When the department designates a development zone under s. 560.71, it shall establish a limit for tax benefits for the development zone determined by allocating to the development zone a portion of ~~$33,155,000~~ $38,155,000.

**SECTION 3000.** 560.75 (11) of the statutes is repealed.

**SECTION 3001.** 560.785 (1) (b) (intro.) and 1. of the statutes are consolidated, renumbered 560.785 (1) (b) and amended to read:

560.785 **(1)** (b) Allow a person to claim up to ~~$6,500~~ $8,000 in tax benefits during the time that an area is designated as a development zone or as an enterprise development zone for ~~any of the following: Creating~~ creating a full–time job that is filled by a member of the target population.

**SECTION 3002.** 560.785 (1) (b) 2. of the statutes is repealed.

**SECTION 3003.** 560.785 (1) (bm) of the statutes is created to read:

560.785 **(1)** (bm) Allow a person to claim up to $8,000 in tax benefits during the time that an area is designated as an enterprise development zone for retaining a full–time job if the department determines that the person made a significant capital investment to retain the full–time job.

**SECTION 3004.** 560.785 (1) (c) (intro.) of the statutes is amended to read:

560.785 **(1)** (c) (intro.) Allow a person to claim up to ~~$4,000~~ $6,000 in tax benefits during the time that an area is designated as a development zone or as an enterprise development zone for any of the following:

**SECTION 3004m.** 560.785 (1) (d) of the statutes is amended to read:

560.785 **(1)** (d) ~~Require~~ Except for a person claiming tax benefits only for environmental remediation under s. 71.07 (2dx) (b) 1., 71.28 (1dx) (b) 1. or 71.47 (1dx) (b) 1., require at least 25% of the tax benefits claimed by a person to be based on creating or retaining full–time jobs.

**SECTION 3005.** 560.785 (1) (e) of the statutes is amended to read:

560.785 **(1)** (e) Require at least one–third of the tax benefits claimed by a person that are based on creating ~~or retaining~~ full–time jobs to be based on creating ~~or retaining~~ full–time jobs that are filled by members of the target population.

**SECTION 3005m.** 560.785 (1) (h) of the statutes is created to read:

560.785 **(1)** (h) Provide that a person's eligibility to claim tax benefits for environmental remediation under s. 71.07 (2dx) (b) 1., 71.28 (1dx) (b) 1. or 71.47 (1dx) (b) 1. is not based on creating or retaining jobs.

**SECTION 3006.** 560.785 (2) (c) of the statutes is created to read:

560.785 **(2)** (c) The requirement under ss. 560.70 (2m) and 560.797 (1) (am) that an individual's position must be regular, nonseasonal and full–time and that the individual must be required to work at least 2,080 hours per year, including paid leave and holidays.

**SECTION 3008.** 560.795 (3) (e) of the statutes is repealed.

**SECTION 3009.** 560.797 (1) (aj) of the statutes is created to read:

560.797 **(1)** (aj) "Environmental remediation" has the meaning given in s. 71.07 (2dx) (a) 3.

**SECTION 3010.** 560.797 (2) (bg) of the statutes is created to read:

560.797 **(2)** (bg) Notwithstanding par. (a) and subject to pars. (c) and (d), the department may designate an area as an enterprise development zone for a project if the department determines all of the following:

1. That the project serves a public purpose.

2. That the project is not likely to occur or continue without the department's designation of the area as an enterprise development zone.

3. That the project will likely provide for significant environmental remediation.

**SECTION 3011.** 560.797 (2) (br) of the statutes is created to read:

560.797 **(2)** (br) In making a determination under par. (bg), the department shall consider all of the following:

1. The factors specified in par. (b) 1. to 8.

2. The environmental remediation that is likely to result from the project.

**SECTION 3012.** 560.797 (2) (d) of the statutes is amended to read:

560.797 **(2)** (d) The department may not designate more than ~~50~~ 79 enterprise development zones unless the department obtains the approval of the joint committee on finance to do so. Of the enterprise development zones that the department designates, at least 10 shall be designated under par. (bg).

**SECTION 3013.** 560.797 (4) (e) of the statutes is repealed.

**SECTION 3015.** 560.80 (5) of the statutes is amended to read:

560.80 **(5)** "Eligible recipient" means a person who is eligible to receive a grant under s. 560.82 (5) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or 560.835.

**SECTION 3016.** 560.81 (2) of the statutes is amended to read:

560.81 **(2)** The board awards a grant or loan to the eligible recipient or local development corporation under ss. 560.83 (1) and 560.84 or to the eligible recipient under ss. 560.835 and 560.84.

**SECTION 3017.** 560.83 (1) of the statutes is amended to read:

560.83 **(1)** Subject to s. 560.84, the board may award a grant or loan under this ~~section~~ subsection to an eligible recipient or a local development corporation to fund eligible development project costs.

**SECTION 3018.** 560.83 (2) (intro.) of the statutes is amended to read:

560.83 **(2)** (intro.) The board may award a grant or loan under this ~~section~~ subsection to a local development corporation if all of the following apply:

**SECTION 3019.** 560.83 (4) (a) of the statutes is amended to read:

560.83 **(4)** (a) In any fiscal biennium, the board may not award, to any one eligible recipient or local development corporation or for any one development project, grants or loans under sub. (1) that total more than $100,000 in a fiscal biennium.

**SECTION 3020.** 560.83 (5) (intro.) of the statutes is amended to read:

560.83 **(5)** (intro.) ~~The~~ In addition to local development corporations, the board may award grants or loans under sub. (1) only to persons who are any of the following:

**SECTION 3022.** 560.87 (6) of the statutes is amended to read:

560.87 **(6)** From the appropriation under s. 20.143 (1) ~~(dh)~~ (kh), make an annual grant to the Great Lakes inter–tribal council in an amount equal to the amount appropriated under s. 20.143 (1) ~~(dh)~~ (kh), to partially fund in the Great Lakes inter–tribal council a liaison between American Indians, Indian businesses and Indian tribes interested in targeted programs and the state agencies that administer targeted programs.

**SECTION 3023.** 560.875 (1) of the statutes is amended to read:

560.875 **(1)** Annually, the department shall grant to the Great Lakes inter–tribal council the amount appropriated under s. 20.143 (1) ~~(df)~~ (kf) to partially fund a program to provide technical assistance for economic development on Indian reservations if the conditions under subs. (2) and (3) are satisfied.

**SECTION 3024.** 565.02 (4) (g) of the statutes is created to read:

565.02 **(4)** (g) Establishing a program to provide for additional compensation, above the compensation provided under s. 565.10 (14) (b) 1. or 2., to be paid to retailers who meet certain performance goals identified by the department. Under this program, the total compensation provided to retailers may not exceed 1.0% of the gross revenues from the sale of lottery tickets and lottery shares.

**SECTION 3025.** 565.10 (14) (b) 3m. of the statutes is created to read:

565.10 **(14)** (b) 3m. The department may, in rules promulgated under s. 565.02 (4) (g), provide for additional compensation, above the compensation provided under subd. 1. or 2., to be paid to retailers who meet certain performance goals identified by the department.

**SECTION 3025g.** 565.28 of the statutes is created to read:

**565.28 Lottery prize payment option. (1)** (a) A person who becomes entitled to receive payment of a lottery prize under s. 565.30 (1) on or after the effective date of this paragraph .... [revisor inserts date], may elect to receive payment of the lottery prize in the form of a lump sum or in instalments over a period of years if the lottery prize is payable over at least 10 years.

(b) A person who chooses to make an election under par. (a) shall make the election no later than 60 days after becoming entitled to the lottery prize. An election made under par. (a) is final and may not be revoked.

(c) If a person eligible to make an election under par. (a) does not make an election within 60 days after becoming entitled to a lottery prize, the administrator shall make payment in the form of an annuity.

**(2)** (a) A person who became entitled to receive payment of a lottery prize under s. 565.30 (1) on or before October 21, 1998, and who currently receives payment of the lottery prize in the form of an annuity may elect to change the form of payment to a lump sum if the lottery prize is payable over at least 10 years.

(b) A person who chooses to make an election under par. (a) shall make the election no earlier than July 1, 1999, and no later than December 31, 2000. An election made under par. (a) is final and may not be revoked.

**SECTION 3025j.** 565.30 (1) of the statutes is amended to read:

565.30 **(1)** PAYMENT OF PRIZES. The administrator shall direct the payment of a prize<u>, in the form elected under s. 565.28, if applicable,</u> to the holder of the winning lottery ticket or lottery share or to a person designated under sub. (2), except that a prize may be paid to another person under a court order or to the estate of a deceased prize winner. The department, administrator, state and any contractor for materials, equipment or services of the game in which the prize is won are discharged of all liability upon payment of the prize to the holder of a winning lottery ticket or lottery share.

**SECTION 3026.** 569.01 (1m) (d) of the statutes is created to read:

569.01 **(1m)** (d) Moneys received by the state from Indian tribes pursuant to an Indian gaming compact, except moneys received as direct reimbursements to the department of justice.

**SECTION 3027.** 569.06 of the statutes is amended to read:

**569.06 Indian gaming receipts.** Indian gaming receipts shall be credited to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

**SECTION 3027r.** 600.01 (1) (b) 8. of the statutes is amended to read:

600.01 **(1)** (b) 8. Guarantees of the Wisconsin Housing and Economic Development Authority under s. 234.68, 1995 stats., s. 234.69, 1995 stats., s. 234.765, 1995 stats., s. 234.82, 1995 stats., s. 234.87, 1995 stats., and ss. 234.67, 234.83, 234.84, ~~234.88,~~ 234.90, 234.905, 234.907 and 234.91.

**SECTION 3028.** 600.01 (1) (b) 10. of the statutes is created to read:

600.01 **(1)** (b) 10. a. Except as provided in subd. 10. b., long–term care services funded by the family care benefit, as defined in s. 46.2805 (4), that are provided by a care management organization that contracts with the department of health and family services under s. 46.284 and enrolls only individuals who are eligible under s. 46.286.

b. The exemption under subd. 10. a. does not apply if the services offered by the care management organization include hospital, physician or other acute health care services.

**SECTION 3029.** 601.31 (1) (k) 6. of the statutes is created to read:

601.31 **(1)** (k) 6. Domestic mutual insurance holding companies, $100.

**SECTION 3030.** 601.31 (1) (L) 1. of the statutes is repealed.

**SECTION 3031.** 601.31 (1) (m) (intro.) of the statutes is renumbered 601.31 (1) (m) and amended to read:

601.31 **(1)** (m) For regulating resident intermediaries and nonresident intermediaries, annually after the year in which the initial license is issued, amounts

to be set by the commissioner by rule and paid at times and under procedures set by the commissioner~~, but not to exceed:~~.

**SECTION 3032.** 601.31 (1) (m) 1. of the statutes is repealed.

**SECTION 3033.** 601.31 (1) (m) 2. of the statutes is repealed.

**SECTION 3034.** 601.31 (1) (m) 3. of the statutes is renumbered 601.31 (1) (mc) and amended to read:

601.31 **(1)** (mc) ~~Holder~~ For regulating a holder of a license to place business under s. 618.41, annually after the year in which the initial license is issued, an amount to be set by the commissioner by rule and paid at times and under procedures set by the commissioner, but not to exceed $100.

**SECTION 3035.** 601.31 (1) (o) of the statutes is amended to read:

601.31 **(1)** (o) For examination of an applicant for a license as an insurance intermediary, an amount to be set by the commissioner by rule ~~but not to exceed $50 and not to exceed the reasonably estimated average cost of the examination and investigation of an intermediary~~.

**SECTION 3038.** 631.20 (1) of the statutes is renumbered 631.20 (1) (a) and amended to read:

631.20 **(1)** (a) No form subject to s. 631.01 (1), except as exempted under s. 631.01 (2) to (5) or by rule under par. (b), may be used unless it has been filed with and approved by the commissioner and unless the insurer certifies that the form complies with chs. 600 to 655 and rules promulgated under chs. 600 to 655. It is deemed approved if it is not disapproved within 30 days after filing, or within a 30–day extension of that period ordered by the commissioner prior to the expiration of the first 30 days.

**SECTION 3039.** 631.20 (1) (b) of the statutes is created to read:

631.20 **(1)** (b) Subject to s. 655.24 (1), the commissioner may by rule exempt certain classes of policy forms from prior filing and approval.

**SECTION 3040.** 631.20 (3) of the statutes is amended to read:

631.20 **(3)** SUBSEQUENT DISAPPROVAL. Whenever the commissioner finds, after a hearing, that a form approved or deemed to be approved under sub. (1) (a) would be disapproved under sub. (2) if newly filed, the commissioner may order that on or before a date not less than 30 nor more than 90 days after the order the use of the form shall be discontinued or appropriate changes shall be made.

**SECTION 3041.** 631.20 (6) (a) of the statutes is amended to read:

631.20 **(6)** (a) The penalties under s. 601.64 (3) to (5) may not be imposed against an insurer for using a form that does not comply with a statute or rule if the statute or rule was in effect on the date the form was approved or deemed to be approved under sub. (1) (a).

**SECTION 3042.** 631.20 (6) (b) of the statutes is amended to read:

631.20 **(6)** (b) Use of a form that does not comply with a statute or rule which takes effect after the date the form was approved or deemed to be approved under sub. (1) (a) is a violation of the statute or rule, and the penalties under s. 601.64 may be imposed against the insurer using the form.

**SECTION 3043.** 631.36 (1) (a) of the statutes is amended to read:

631.36 **(1)** (a) *General.* Except as otherwise provided in this section or in other statutes or by rule under par. (c), this section applies to all contracts of insurance based on forms which are subject to filing and approval under s. 631.20 (1) (a).

**SECTION 3044.** 632.745 (6) (a) 2m. of the statutes is created to read:

632.745 **(6)** (a) 2m. A family care district under s. 46.2895.

**SECTION 3044g.** 632.896 (1) (c) 1. of the statutes is amended to read:

632.896 **(1)** (c) 1. The department, a county department under s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 places a child in the insured's home for adoption and enters into an agreement under s. 48.833 (4) with the insured.

**SECTION 3045.** 655.24 (1) of the statutes is amended to read:

655.24 **(1)** No insurer may enter into or issue any policy of health care liability insurance until its policy form has been submitted to and approved by the commissioner under s. 631.20 (1) (a). The filing of a policy form by any insurer with the commissioner for approval shall constitute, on the part of the insurer, a conclusive and unqualified acceptance of all provisions of this chapter, and an agreement by it to be bound hereby as to any policy issued by it to any health care provider.

**SECTION 3046.** 655.275 (10) of the statutes is amended to read:

655.275 **(10)** MEMBERS' AND CONSULTANTS' EXPENSES. ~~Any~~ Notwithstanding s. 15.09 (6), any person serving on the council and any person consulting with the council under sub. (5) (b) shall be paid ~~$50 for each day's actual attendance at council meetings, plus actual and necessary travel expenses~~ at a rate established by the commissioner by rule.

**SECTION 3047.** 700.24 of the statutes is amended to read:

**700.24 Death of a joint tenant; effect of liens.** A real estate mortgage, a security interest under ch. 409, or a lien under s. 72.86 (2), 1985 stats., or s. 71.91 (5) (b), ch. 49 or 779 or rules promulgated under s. 46.286 (7) on or against the interest of a joint tenant does not defeat the right of survivorship in the event of the death of such joint tenant, but the surviving joint tenant or tenants take the interest such deceased joint tenant could have transferred prior to death subject to such mortgage, security interest or statutory lien.

**SECTION 3048.** 701.065 (1) (b) 1. of the statutes is amended to read:

701.065 **(1)** (b) 1. The claim is a claim based on tort, on a marital property agreement that is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income, franchise, sales, withholding, gift or death taxes, or on unemployment compensation contributions due or benefits overpaid~~,~~; a claim for funeral or administrative expenses~~,~~; a claim of this state under s. 46.27 (7g), 49.496 or 49.682 or rules promulgated under s. 46.286 (7); or a claim of the United States.

**SECTION 3049.** 705.04 (2g) of the statutes is amended to read:

705.04 **(2g)** Notwithstanding subs. (1) and (2), the department of health and family services may collect, from funds of a decedent that are held by the decedent immediately before death in a joint account or a P.O.D. account, an amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal to aid under 49.68, 49.683 or 49.685 that is recoverable under s. 49.682 (2) (a) ~~or~~, an amount equal to long–term community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or the decedent's spouse or an amount equal to the family care benefit under s. 46.286 that is recoverable under rules promulgated under s. 46.286 (7) and that was paid on behalf of the decedent or the decedent's spouse.

**SECTION 3050m.** 757.05 (title) of the statutes is created to read:

**757.05** (title) **Penalty assessment.**

**SECTION 3050n.** 757.05 (2) (title) of the statutes is created to read:

757.05 **(2)** (title) USE OF PENALTY ASSESSMENT MONEYS.

**SECTION 3050o.** 757.05 (2) (b) of the statutes is created to read:

757.05 **(2)** (b) *Other purposes.* The moneys collected from penalty assessments under sub. (1) that remain after crediting the appropriation account specified in par.

(a) shall be credited to the appropriation account under s. 20.505 (6) (j) and transferred as provided under s. 20.505 (6) (j).

**SECTION 3050p.** 758.19 (4) of the statutes is amended to read:

758.19 **(4)** The director of state courts may develop, promote, coordinate and implement circuit court automated information systems that are compatible among counties using the moneys appropriated under s. 20.680 (2) (j) and (kp). If the director of state courts provides funding to counties as part of the development and implementation of this system, the director of state courts may provide funding to counties with 1 or 2 circuit court judges for a minicomputer system only up to the level of funding that would have been provided had the county implemented a microcomputer system. In those counties with 1 or 2 circuit court judges, any costs incurred to implement a minicomputer system not funded under this subsection shall be paid by the county. Those counties may use that minicomputer system for county management information needs in addition to the circuit court automated information system use.

**SECTION 3050q.** 758.19 (4) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

758.19 **(4)** The director of state courts may develop, promote, coordinate and implement circuit court automated information systems that are compatible among counties using the moneys appropriated under s. 20.680 (2) (j) ~~and (kp)~~. If the director of state courts provides funding to counties as part of the development and implementation of this system, the director of state courts may provide funding to counties with 1 or 2 circuit court judges for a minicomputer system only up to the level of funding that would have been provided had the county implemented a microcomputer system. In those counties with 1 or 2 circuit court judges, any costs

incurred to implement a minicomputer system not funded under this subsection shall be paid by the county. Those counties may use that minicomputer system for county management information needs in addition to the circuit court automated information system use.

**SECTION 3052.** 767.078 (1) (b) (intro.) of the statutes is amended to read:

767.078 **(1)** (b) (intro.) Except as provided in par. (c) ~~or (d)~~, in a case involving a dependent child, if the child's parent who is absent from the home is not employed, the court shall order that parent to do one or more of the following:

**SECTION 3053.** 767.078 (1) (c) of the statutes is amended to read:

767.078 **(1)** (c) An order is not required under par. (b) ~~or (d)~~ if the court makes written findings that there is good cause for not issuing the order.

**SECTION 3054.** 767.078 (1) (d) of the statutes is repealed.

**SECTION 3055.** 767.265 (1) of the statutes, as affected by 1997 Wisconsin Act 191, section 411, is amended to read:

767.265 **(1)** Each order for child support under this chapter, for maintenance payments under s. 767.23 or 767.26, for family support under this chapter, for costs ordered under s. 767.51 (3) or 767.62 (4) (a), for support by a spouse under s. 767.02 (1) (f) ~~or~~, for maintenance payments under s. 767.02 (1) (g) <u>or for the annual receiving and disbursing fee under s. 767.29 (1) (d)</u>, each order for a revision in a judgment or order with respect to child support, maintenance or family support payments under s. 767.32, each stipulation approved by the court or the family court commissioner for child support under this chapter and each order for child or spousal support entered under s. 948.22 (7) constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments and other money due or to be due in the future to the

department or its designee. The assignment shall be for an amount sufficient to ensure payment under the order or stipulation and to pay any arrearages due at a periodic rate not to exceed 50% of the amount of support due under the order or stipulation so long as the addition of the amount toward arrearages does not leave the party at an income below the poverty line established under 42 USC 9902 (2).

**SECTION 3056.** 767.265 (1m) of the statutes is created to read:

767.265 **(1m)** If a party's current obligation to pay maintenance, child support, spousal support or family support terminates but the party has an arrearage in the payment of one or more of those payments, the assignment shall continue in effect, in an amount up to the amount of the assignment before the party's current obligation terminated, until the arrearage is paid in full.

**SECTION 3057.** 767.265 (1m) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

767.265 **(1m)** If a party's current obligation to pay maintenance, child support, spousal support ~~or~~, family support <u>or the annual receiving and disbursing fee</u> terminates but the party has an arrearage in the payment of one or more of those payments, the assignment shall continue in effect, in an amount up to the amount of the assignment before the party's current obligation terminated, until the arrearage is paid in full.

**SECTION 3058.** 767.265 (2h) of the statutes is amended to read:

767.265 **(2h)** If a court–ordered assignment<u>, including the assignment specified under sub. (1) for the payment of any arrearages due,</u> does not require immediately effective withholding and a payer fails to make a required maintenance, child support, spousal support or family support payment within 10 days after its due date, within 20 days after the payment's due date the court ~~or~~, family court

commissioner or county child support agency under s. 59.53 (5) shall cause the assignment to go into effect by providing notice of the assignment in the manner provided under sub. (2r) and shall send a notice by regular mail to the last–known address of the payer. The notice sent to the payer shall inform the payer that an assignment is in effect and that the payer may, within a 10–day period, by motion request a hearing on the issue of whether the assignment should remain in effect. The court or family court commissioner shall hold a hearing requested under this subsection within 10 working days after the date of the request. If at the hearing the payer establishes that the assignment is not proper because of a mistake of fact, the court or family court commissioner may direct that the assignment be withdrawn. Either party may, within 15 working days after the date of a decision by a family court commissioner under this subsection, seek review of the decision by the court with jurisdiction over the action.

**SECTION 3059.** 767.265 (2h) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

767.265 **(2h)** If a court–ordered assignment, including the assignment specified under sub. (1) for the payment of any arrearages due, does not require immediately effective withholding and a payer fails to make a required maintenance, child support, spousal support ~~or~~, family support or annual receiving and disbursing fee payment within 10 days after its due date, within 20 days after the payment's due date the court, family court commissioner or county child support agency under s. 59.53 (5) shall cause the assignment to go into effect by providing notice of the assignment in the manner provided under sub. (2r) and shall send a notice by regular mail to the last–known address of the payer. The notice sent to the payer shall inform the payer that an assignment is in effect and that the payer may, within a 10–day

period, by motion request a hearing on the issue of whether the assignment should remain in effect. The court or family court commissioner shall hold a hearing requested under this subsection within 10 working days after the date of the request. If at the hearing the payer establishes that the assignment is not proper because of a mistake of fact, the court or family court commissioner may direct that the assignment be withdrawn. Either party may, within 15 working days after the date of a decision by a family court commissioner under this subsection, seek review of the decision by the court with jurisdiction over the action.

**SECTION 3060.** 767.265 (2m) of the statutes is created to read:

767.265 **(2m)** (a) 1. An obligation to pay unpaid fees under s. 767.29 (1) (dm) 1m. constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments and other money due or to be due in the future to the department or its designee.

2. An obligation to pay unpaid fees under s. 767.29 (1) (dm) 2m. constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments and other money due or to be due in the future to the clerk of court to whom the fees are owed, or to his or her successor.

(b) The county child support agency under s. 59.53 (5) may cause an assignment under par. (a) to go into effect by providing notice of the assignment in the manner provided under sub. (2r) and sending a notice by regular mail to the last–known address of the payer. The notice sent to the payer shall inform the payer that an assignment is in effect and that the payer may, within a 10–day period, by motion request a hearing on the issue of whether the assignment should remain in effect. The court or family court commissioner shall hold a hearing requested under this

paragraph within 10 working days after the date of the request. If at the hearing the payer establishes that the assignment is not proper because of a mistake of fact, the court or family court commissioner may direct that the assignment be withdrawn. The payer or the county child support agency may, within 15 working days after the date of a decision by a family court commissioner under this paragraph, seek review of the decision by the court with jurisdiction over the action.

**SECTION 3061.** 767.265 (2r) of the statutes, as affected by 1997 Wisconsin Act 191, section 414, is amended to read:

767.265 **(2r)** Upon entry of each order for child support, maintenance, family support ~~or,~~ support by a spouse <u>or the annual receiving and disbursing fee,</u> and upon approval of each stipulation for child support, unless the court finds that income withholding is likely to cause the payer irreparable harm or unless s. 767.267 applies, the court, family court commissioner or county child support agency under s. 59.53 (5) shall provide notice of the assignment by regular mail or by facsimile machine, as defined in s. 134.72 (1) (a), or other electronic means to the last–known address of the person from whom the payer receives or will receive money. The notice shall provide that the amount withheld may not exceed the maximum amount that is subject to garnishment under 15 USC 1673 (b) (2). If the department or its designee, whichever is appropriate, does not receive the money from the person notified, the court, family court commissioner or county child support agency under s. 59.53 (5) shall provide notice of the assignment to any other person from whom the payer receives or will receive money. Notice under this subsection may be a notice of the court, a copy of the executed assignment or a copy of that part of the court order directing payment.

**SECTION 3062.** 767.29 (1) (d) (intro.) and 1. of the statutes, as created by 1997 Wisconsin Act 27, are consolidated, renumbered 767.29 (1) (d) and amended to read:

767.29 **(1)** (d) For receiving and disbursing maintenance, child support or family support payments, and for maintaining the records required under par. (c), the department or its designee shall collect an annual fee of $25 ~~to be paid by each party ordered to make payments~~. The court or family court commissioner shall order each party ordered to make payments to pay the annual fee under this paragraph ~~at the time of, and in addition to, the first payment to the department or its designee~~ in each year for which payments are ordered. In directing the manner of payment of the annual fee, the court or family court commissioner shall order that the annual fee be withheld from income and sent to the department or its designee, as provided under s. 767.265. All fees collected under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time of ordering the payment of an annual fee under this paragraph, the court or family court commissioner shall notify each party ordered to make payments of the requirement to pay the annual fee and of the amount of the annual fee. If the annual fee under this ~~section~~ paragraph is not paid when due, the department or its designee may not deduct the annual fee from the maintenance or child or family support payment, but may ~~do any of the following: 1. Move~~ move the court for a remedial sanction under ch. 785.

**SECTION 3063.** 767.29 (1) (d) 2. of the statutes, as created by 1997 Wisconsin Act 27, is repealed.

**SECTION 3064.** 767.29 (1) (dm) of the statutes is created to read:

767.29 **(1)** (dm) 1m. The department or its designee may collect any unpaid fees under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated payment and collection system on December 31, 1998, and shall deposit all fees

collected under this subdivision in the appropriation account under s. 20.445 (3) (ja). The department or its designee may collect unpaid fees under this subdivision through income withholding under s. 767.265 (2m). If the department or its designee determines that income withholding is inapplicable, ineffective or insufficient for the collection of any unpaid fees under this subdivision, the department or its designee may move the court for a remedial sanction under ch. 785. The department or its designee may contract with or employ a collection agency or other person for the collection of any unpaid fees under this subdivision and, notwithstanding s. 20.930, may contract with or employ an attorney to appear in any action in state or federal court to enforce the payment obligation. The department or its designee may not deduct the amount of unpaid fees from any maintenance or child or family support payment.

2m. A clerk of court may collect any unpaid fees under s. 814.61 (12) (b), 1997 stats., that are owed to the clerk of court, or to his or her predecessor, and that were not shown on the department's automated payment and collection system on December 31, 1998, through income withholding under s. 767.265 (2m). If the clerk of court determines that income withholding is inapplicable, ineffective or insufficient for the collection of any unpaid fees under this subdivision, the clerk of court may move the court for a remedial sanction under ch. 785.

**SECTION 3066.** 778.02 of the statutes is amended to read:

**778.02 Action in name of state; complaint; attachment.** Every such forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, according to the provisions of the statute that imposes it, specifying the statute and for the penalty assessment imposed by s. ~~165.87~~ 757.05,

the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, the enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the statute imposes a forfeiture for several offenses or delinquencies the complaint shall specify the particular offense or delinquency for which the action is brought, with a demand for judgment for the amount of the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, any applicable enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment. If the defendant is a nonresident of the state, an attachment may issue.

**SECTION 3067.** 778.03 of the statutes is amended to read:

**778.03 Complaint to recover forfeited goods.** In an action to recover property forfeited by any statute it shall be sufficient to allege in the complaint that the property has been forfeited, specifying the statute, with a demand of judgment for the delivery of the property, or the value thereof and for payment of the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, the enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1).

**SECTION 3068.** 778.06 of the statutes is amended to read:

**778.06 Action for what sum.** When a forfeiture is imposed, not exceeding a specific sum or when it is not less than one sum or more than another, the action may be brought for the highest sum specified and for the penalty assessment imposed by

s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, the enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1); and judgment may be rendered for such sum as the court or jury shall assess or determine to be proportionate to the offense.

**SECTION 3069.** 778.10 of the statutes is amended to read:

**778.10 Municipal forfeitures, how recovered.** All forfeitures imposed by any ordinance or regulation of any county, town, city or village, or of any other domestic corporation may be sued for and recovered, under this chapter, in the name of the county, town, city, village or corporation. It is sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, specifying the ordinance or regulation that imposes it and of the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the ordinance or regulation imposes a penalty or forfeiture for several offenses or delinquencies the complaint shall specify the particular offenses or delinquency for which the action is brought, with a demand for judgment for the amount of the forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1). All moneys collected on the judgment shall be paid to the treasurer of

the county, town, city, village or corporation, except that all jail assessments shall be paid to the county treasurer.

**SECTION 3070.** 778.105 of the statutes is amended to read:

**778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by any court or any branch thereof for the violation of any municipal or county ordinance shall be paid to the municipality or county. Penalty assessment payments shall be made as provided in s. ~~165.87~~ 757.05. Jail assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall be made as provided in s. 973.055. Consumer information assessment payments shall be made as provided in s. 100.261.

**SECTION 3071.** 778.13 of the statutes is amended to read:

**778.13 Forfeitures collected, to whom paid.** All moneys collected in favor of the state for forfeiture, except the portion to be paid to any person who sues with the state, shall be paid by the officer who collects the forfeiture to the treasurer of the county within which the forfeiture was incurred within 20 days after its receipt. In case of any failure in the payment the county treasurer may collect the payment of the officer by action, in the name of the office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. Penalty assessment payments shall be made as provided in s. ~~165.87~~ 757.05. Jail assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall be made as provided in s. 973.055. Enforcement assessments shall be made as provided in s. 253.06 (4) (c). Consumer information assessment payments shall be made as provided in s. 100.261.

**SECTION 3072.** 778.18 of the statutes is amended to read:

**778.18 Penalty upon municipal judge.** If any municipal judge, of his or her own will, dismisses any action brought before the judge under this chapter, unless by order of the district attorney or attorney general or the person joined as plaintiff with the state, or renders a less judgment therein than is prescribed by law, or releases or discharges any such judgment or part thereof without payment or collection, the judge and the judge's sureties shall be liable, in an action upon the judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture imposed by the judge and for the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1), or for an amount equal to the amount in which any such judgment or any part thereof is released or discharged. If any municipal judge gives time or delay to any person against whom any such judgment is rendered by the judge, or takes any bond or security for its future payment, the judge and the judge's sureties shall also be liable for the payment of the judgment upon the judge's bond.

**SECTION 3072m.** 779.85 (6) of the statutes is amended to read:

779.85 **(6)** "Prepayment" means any full or partial payment received by a seller or an obligation incurred by a customer to a creditor or to a seller or to a seller's assignee for maintenance to be performed by a seller if payment is made before the maintenance is rendered or received. This term does not include prepayment for maintenance under an insurance policy. Except with regard to a warranty under s. ~~218.14~~ 101.953, this term does not include prepayment for maintenance to be

provided under a manufacturer's warranty on goods or maintenance unless there is a prepayment made for maintenance to be rendered under the warranty separate from the payment for the goods themselves.

**SECTION 3074.** 800.02 (2) (a) 8. of the statutes is amended to read:

800.02 **(2)** (a) 8. Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant is deemed to have tendered a plea of no contest and submits to a forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment<u>, any applicable consumer information assessment</u> and any applicable domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1), not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

**SECTION 3075.** 800.02 (3) (a) 5. of the statutes is amended to read:

800.02 **(3)** (a) 5. A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled to relief, the ordinance, resolution or bylaw upon which the cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, the penalty assessment, the jail assessment, the crime laboratories and drug law enforcement assessment, <u>any applicable consumer information assessment,</u> any applicable domestic abuse assessment and such other relief that is sought by the plaintiff.

**SECTION 3076.** 800.03 (3) of the statutes is amended to read:

800.03 **(3)** The amount of the deposit shall be set by the municipal judge, but shall not be effective until approved by the governing body of the municipality. The amount shall not exceed the maximum penalty for the offense, including any penalty

assessment that would be applicable under s. ~~165.87~~ 757.05, any jail assessment that would be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement assessment that would be applicable under s. 165.755, any consumer information assessment that would be applicable under s. 100.261 and any domestic abuse assessment that would be applicable under s. 973.055 (1), plus court costs, including the fee prescribed in s. 814.65 (1).

**SECTION 3077.** 800.04 (2) (b) of the statutes is amended to read:

800.04 **(2)** (b) If the municipal judge determines that the defendant should not be released under par. (a) and the defendant is charged with a traffic or boating violation, the municipal judge shall release the defendant on a deposit in the amount established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66. For other violations, the municipal judge shall establish a deposit in an amount not to exceed the maximum penalty for the offense, including any penalty assessment that would be applicable under s. ~~165.87~~ 757.05, any jail assessment that would be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement assessment that would be applicable under s. 165.755, any consumer information assessment that would be applicable under s. 100.261 and any domestic abuse assessment that would be applicable under s. 973.055 (1). If the judge in a 1st class city determines that a defendant appearing before the judge through interactive video and audio transmission should not be released under par. (a), the judge shall inform the defendant that he or she has the right to appear personally before a judge for a determination, not prejudiced by the first appearance, as to whether he or she should be released without a deposit. On failure of the defendant to make a deposit under this paragraph, he or she may be committed to jail pending trial only if the

judge finds that there is a reasonable basis to believe the person will not appear in court.

**SECTION 3078.** 800.04 (2) (c) of the statutes is amended to read:

800.04 **(2)** (c) If the defendant has made a deposit under par. (b) or s. 800.03 and does not appear, he or she is deemed to have tendered a plea of no contest and submits to a forfeiture, a penalty assessment imposed by s. ~~165.87~~ 757.05, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the court finds that the violation meets the conditions in s. 800.093 (1), the court may summon the alleged violator into court to determine if restitution shall be ordered under s. 800.093. If the defendant fails to appear in response to the summons, the court shall issue a warrant under s. 968.09. If the defendant has made a deposit but does appear, the court shall allow the defendant to withdraw the plea of no contest.

**SECTION 3079.** 800.09 (1) (intro.) of the statutes is amended to read:

800.09 **(1)** JUDGMENT. (intro.) If a municipal court finds a defendant guilty it may render judgment by ordering restitution under s. 800.093 and payment of a forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1). The

court shall apply any payment received on a judgment that includes restitution to first satisfy any payment of restitution ordered, then to pay the forfeiture, assessments and costs. If the judgment is not paid, the court may proceed under par. (a), (b) or (c) or any combination of those paragraphs, as follows:

**SECTION 3080.** 800.09 (1) (a) of the statutes is amended to read:

800.09 **(1)** (a) The court may defer payment of any judgment or provide for instalment payments. At the time the judgment is rendered, the court shall inform the defendant, orally and in writing, of the date by which restitution and the payment of the forfeiture, the penalty assessment, the jail assessment, the crime laboratories and drug law enforcement assessment<u>, any applicable consumer information assessment</u> and any applicable domestic abuse assessment plus costs must be made, and of the possible consequences of failure to do so in timely fashion, including imprisonment, as provided in s. 800.095, or suspension of the defendant's motor vehicle operating privilege, as provided in par. (c), if applicable. If the defendant is not present, the court shall ensure that the information is sent to the defendant by mail. In 1st class cities, all of the written information required by this paragraph shall be printed in English and Spanish and provided to each defendant.

**SECTION 3082.** 800.09 (2) (b) of the statutes is amended to read:

800.09 **(2)** (b) If the person charged fails to appear personally or by an attorney at the time fixed for hearing of the case, the defendant may be deemed to have entered a plea of no contest and the money deposited, if any, or such portion thereof as the court determines to be an adequate penalty, plus the penalty assessment, the jail assessment, the crime laboratories and drug law enforcement assessment<u>, any applicable consumer information assessment</u> and any applicable domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1), may be declared

forfeited by the court or may be ordered applied upon the payment of any penalty which may be imposed, together with the penalty assessment, the jail assessment, the crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment plus costs. If the court finds that the violation meets the conditions in s. 800.093 (1), the court may summon the alleged violator into court to determine if restitution shall be ordered under s. 800.093. Any money remaining after payment of any penalties, assessments, costs and restitution shall be refunded to the person who made the deposit.

**SECTION 3084.** 800.10 (2) of the statutes is amended to read:

800.10 **(2)** All forfeitures, fees, penalty assessments, crime laboratories and drug law enforcement assessments, consumer information assessments, domestic abuse assessments and costs paid to a municipal court under a judgment before a municipal judge shall be paid to the municipal treasurer within 7 days after receipt of the money by a municipal judge or other court personnel. At the time of the payment, the municipal judge shall report to the municipal treasurer the title of the action, the offense for which a forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessments, crime laboratories and drug law enforcement assessments, consumer information assessments, domestic abuse assessments and costs, if any. The treasurer shall disburse the fees as provided in s. 814.65 (1). All jail assessments paid to a municipal court under a judgment before a municipal judge shall be paid to the county treasurer within 7 days after receipt of the money by a municipal judge or other court personnel.

**SECTION 3085.** 800.12 (2) of the statutes is amended to read:

800.12 **(2)** A municipality may by ordinance provide that a municipal judge may impose a forfeiture for contempt under sub. (1) in an amount not to exceed $50 or, upon nonpayment of the forfeiture, penalty assessment under s. ~~165.87~~ 757.05, jail assessment under s. 302.46 ~~and~~, crime laboratories and drug law enforcement assessment under s. 165.755, any applicable consumer information assessment under s. 100.261 and any applicable domestic abuse assessment under s. 973.055 (1), a jail sentence not to exceed 7 days.

**SECTION 3086.** 803.03 (2) (b) of the statutes is amended to read:

803.03 **(2)** (b) *Options after joinder.* Any party joined pursuant to par. (a) may 1. participate in the prosecution of the action, 2. agree to have his or her interest represented by the party who caused the joinder, or 3. move for dismissal with or without prejudice. If the party joined chooses to participate in the prosecution of the action, the party joined shall have an equal voice with other claimants in such prosecution. ~~If~~ Except as provided in par. (bm), if the party joined chooses to have his or her interest represented by the party who caused the joinder, the party joined shall sign a written waiver of the right to participate which shall express consent to be bound by the judgment in the action. Such waiver shall become binding when filed with the court, but a party may withdraw the waiver upon timely motion to the judge to whom the case has been assigned with notice to the other parties. A party who represents the interest of another party and who obtains a judgment favorable to such other party may be awarded reasonable attorneys fees by the court. If the party joined moves for dismissal without prejudice as to his or her claim, the party shall demonstrate to the court that it would be unjust to require the party to prosecute the claim with the principal claim. In determining whether to grant the motion to

dismiss, the court shall weigh the possible prejudice to the movant against the state's interest in economy of judicial effort.

**SECTION 3087.** 803.03 (2) (bm) of the statutes is created to read:

803.03 **(2)** (bm) *Joinders because of implication of medical assistance.* If the department of health and family services is joined as a party pursuant to par. (a) and s. 49.89 (2) because of the provision of benefits under subch. IV of ch. 49, the department of health and family services need not sign a waiver of the right to participate in order to have its interests represented by the party that caused the joinder. If the department of health and family services makes no selection under par. (b), the party causing the joinder shall represent the interests of the department of health and family services and the department of health and family services shall be bound by the judgment in the action.

**SECTION 3089.** 814.03 (3) of the statutes is amended to read:

814.03 **(3)** Notwithstanding subs. (1) and (2), where the department of health and family services or a county is joined as a plaintiff pursuant to ss. 49.89 (2) and 803.03 (2) (a) because of the provision of benefits under subch. IV of ch. 49~~, and where the interests of the department of health and family services or of the county are represented under s. 803.03 (2) (b) by the party who caused the joinder~~, the department of health and family services or the county shall not be liable for costs to any prevailing defendant.

**SECTION 3094.** 814.60 (2) (a) of the statutes is amended to read:

814.60 **(2)** (a) Penalty assessment imposed by s. ~~165.87~~ 757.05;

**SECTION 3095.** 814.60 (2) (ai) of the statutes is created to read:

814.60 **(2)** (ai) Consumer information assessment imposed by s. 100.261.

**SECTION 3095n.** 814.61 (1) (c) 4. of the statutes is created to read:

814.61 **(1)** (c) 4. An action to terminate parental rights under subch. VIII of ch. 48.

**SECTION 3095p.** 814.61 (1) (c) 5. of the statutes is created to read:

814.61 **(1)** (c) 5. An action for adoption under subch. XIX of ch. 48.

**SECTION 3096m.** 814.615 (1) (a) 3. of the statutes is amended to read:

814.615 **(1)** (a) 3. For a study under s. 767.11 (14), a fee of ~~$300~~ $500.

**SECTION 3097.** 814.63 (3) (a) of the statutes is amended to read:

814.63 **(3)** (a) Penalty assessment imposed by s. ~~165.87~~ 757.05.

**SECTION 3098.** 814.63 (3) (ai) of the statutes is created to read:

814.63 **(3)** (ai) Consumer information assessment imposed by s. 100.261.

**SECTION 3099.** 814.635 (1) of the statutes is amended to read:

814.635 **(1)** Except for an action for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a ~~$7~~ $9 justice information system fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information system fee is in addition to the other fees listed in this section.

**SECTION 3101.** 815.18 (3) (o) of the statutes is amended to read:

815.18 **(3)** (o) *Tuition units.* Tuition units purchased under s. ~~16.24~~ 14.63.

**SECTION 3101m.** 823.08 (3) (c) 2. of the statutes is amended to read:

823.08 **(3)** (c) 2. If the agricultural use or agricultural practice alleged to be a nuisance was begun before October 14, 1997, a department may advise the court under subd. 1. only if the department determines that cost–sharing is available to the defendant under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source.

**SECTION 3102.** 859.02 (2) (a) of the statutes is amended to read:

859.02 **(2)** (a) It is a claim based on tort, on a marital property agreement that is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income, franchise, sales, withholding, gift or death taxes, or on unemployment insurance contributions due or benefits overpaid~~,~~; a claim for funeral or administrative expenses~~,~~; a claim of this state under s. 46.27 (7g), 49.496 or 49.682 or rules promulgated under s. 46.286 (7); or a claim of the United States; or

**SECTION 3103.** 859.07 (2) of the statutes is amended to read:

859.07 **(2)** If the decedent was at the time of death or at any time prior thereto a patient or inmate of any state or county hospital or institution or any person responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10, 48.36, 301.03 (18), 301.12 or 938.36 or if the decedent or the spouse of the decedent ever received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685, the personal representative shall send notice in writing of the date set under s. 859.01 by registered or certified mail to the department of health and family services or the department of corrections, as applicable, and the county clerk of the applicable county not less than 30 days before the date set under s. 859.01, upon such blanks and containing such information as the applicable department or county clerk may provide. The applicable county is the county of residence, as defined in s. 49.001 (6).

**SECTION 3104.** 867.01 (3) (a) 4. of the statutes is amended to read:

867.01 **(3)** (a) 4. Whether the decedent or the decedent's spouse received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685.

**SECTION 3105.** 867.01 (3) (d) of the statutes is amended to read:

867.01 **(3)** (d) *Notice.* The court may hear the matter without notice or order notice to be given under s. 879.03. If the decedent or the decedent's spouse received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685, the petitioner shall give notice by certified mail to the department of health and family services as soon as practicable after filing the petition with the court.

**SECTION 3106.** 867.02 (2) (a) 6. of the statutes is amended to read:

867.02 **(2)** (a) 6. Whether the decedent or the decedent's spouse received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685.

**SECTION 3107.** 867.03 (1g) (c) of the statutes is amended to read:

867.03 **(1g)** (c) Whether the decedent or the decedent's spouse ever received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685.

**SECTION 3108.** 867.03 (1m) (a) of the statutes is amended to read:

867.03 **(1m)** (a) Whenever an heir or person who was guardian of the decedent at the time of the decedent's death intends to transfer a decedent's property by affidavit under sub. (1g) and the decedent or the decedent's spouse ever received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685, the heir or person who was guardian of the decedent at the

time of the decedent's death shall give notice to the department of health and family services of his or her intent. The notice shall include the information in the affidavit under sub. (1g) and the heir or person who was guardian of the decedent at the time of the decedent's death shall give the notice by certified mail, return receipt requested.

**SECTION 3109.** 867.03 (1m) (b) of the statutes is amended to read:

867.03 **(1m)** (b) An heir or person who was guardian of the decedent at the time of the decedent's death who files an affidavit under sub. (1g) that states that the decedent or the decedent's spouse received <u>the family care benefit under s. 46.286,</u> medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685 shall attach to the affidavit the proof of mail delivery of the notice required under par. (a) showing a delivery date that is not less than 10 days before the day on which the heir or person who was guardian of the decedent at the time of the decedent's death files the affidavit.

**SECTION 3110.** 867.035 (1) (a) (intro.) of the statutes is amended to read:

867.035 **(1)** (a) (intro.) Except as provided in par. (bm), the department of health and family services may collect from the property of a decedent, including funds of a decedent that are held by the decedent immediately before death in a joint account or a P.O.D. account, by affidavit under this section an amount equal to the medical assistance that is recoverable under s. 49.496 (3) (a), the long–term community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1.<u>, the family care benefit that is recoverable under rules promulgated under s. 46.286 (7)</u> or the aid under s. 49.68, 49.683 or 49.685 that is recoverable under s.

49.682 (2) (a) and that was paid on behalf of the decedent or the decedent's spouse, if all of the following conditions are satisfied:

**SECTION 3111.** 867.035 (4) of the statutes is amended to read:

867.035 **(4)** From the appropriation under s. 20.435 ~~(5)~~ (4) (im), with respect to funds collected by the department under sub. (1) related to medical assistance paid on behalf of the decedent or the decedent's spouse, the department of health and family services shall pay claims under sub. (3), shall pay to the federal government from the amount recovered under this section and not paid out as claims under sub. (3) an amount equal to the amount of federal funds used to pay the benefits recovered under this section and shall spend the remainder of the amount recovered under this section for medical assistance benefits under subch. IV of ch. 49.

**SECTION 3115.** 938.02 (6) of the statutes is amended to read:

938.02 **(6)** "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 juveniles ~~unless all of the juveniles are siblings~~ or, if necessary to enable a sibling group to remain together, for no more than 6 juveniles or, if the department of health and family services promulgates rules permitting a different number of juveniles, for the number of juveniles permitted under those rules.

**SECTION 3116.** 938.02 (14m) of the statutes is amended to read:

938.02 **(14m)** "Pupil assistance program" means a program provided by a school board under s. ~~115.362 (4) (b) 2.~~ 115.361 to intervene in the abuse of alcohol and other drugs by pupils.

**SECTION 3143.** 938.24 (5) of the statutes is amended to read:

938.24 **(5)** The intake worker shall request that a petition be filed, enter into a deferred prosecution agreement or close the case within 40 days or sooner of receipt

of referral information. Before entering into a deferred prosecution agreement, the intake worker shall comply with s. 938.245 (1m), if applicable. If the case is closed or a deferred prosecution agreement is entered into, the district attorney, corporation counsel or other official under s. 938.09 shall receive written notice of such action. If the case is closed, the known victims of the juvenile's alleged act shall receive notice as provided under sub. (5m), if applicable. ~~In addition, if a deferred prosecution agreement is entered into placing a juvenile in a youth village program as described in s. 118.42, the judge or juvenile court commissioner shall receive written notice of such action and, on receipt of that notice, shall enter an order requiring compliance with that agreement.~~ A notice of deferred prosecution of an alleged delinquency case shall include a summary of the facts surrounding the allegation and a list of prior intake referrals and dispositions. If a law enforcement officer has made a recommendation concerning the juvenile, the intake worker shall forward this recommendation to the district attorney under s. 938.09. Notwithstanding the requirements of this section, the district attorney may initiate a delinquency petition under s. 938.25 within 20 days after notice that the case has been closed or that a deferred prosecution agreement has been entered into. The judge shall grant appropriate relief as provided in s. 938.315 (3) with respect to any such petition which is not referred or filed within the time limits specified within this subsection. Failure to object if a petition is not referred or filed within a time limit specified in this subsection waives that time limit.

**SECTION 3144.** 938.245 (2) (a) 9. of the statutes is repealed.

**SECTION 3145.** 938.245 (2) (b) of the statutes is amended to read:

938.245 **(2)** (b) A deferred prosecution agreement~~, other than an agreement under par. (a) 9.,~~ may not include any form of out–of–home placement and may not exceed one year.

**SECTION 3146.** 938.245 (3) of the statutes is amended to read:

938.245 **(3)** The obligations imposed under a deferred prosecution agreement and its effective date shall be set forth in writing. ~~If the deferred prosecution agreement places the juvenile in a youth village program under sub. (2) (a) 9., the judge or juvenile court commissioner shall receive written notice that a deferred prosecution agreement has been entered into and, on receipt of that notice, shall enter an order requiring compliance with that agreement.~~ The juvenile and a parent, guardian and legal custodian shall receive a copy of the agreement and order, as shall any agency providing services under the agreement.

**SECTION 3147.** 938.245 (4) of the statutes is amended to read:

938.245 **(4)** The intake worker shall inform the juvenile and the juvenile's parent, guardian and legal custodian in writing of their right to terminate ~~or, if the juvenile is subject to a deferred prosecution agreement under sub. (2) (a) 9., to request the court to terminate~~ the deferred prosecution agreement at any time or to object at any time to the fact or terms of the deferred prosecution agreement. If an objection arises the intake worker may alter the terms of the agreement or request the district attorney or corporation counsel to file a petition. If the deferred prosecution agreement is terminated the intake worker may request the district attorney or corporation counsel to file a petition.

**SECTION 3148.** 938.245 (5) of the statutes is amended to read:

938.245 **(5)** A deferred prosecution agreement under sub. (2) (a) 1. to 8., (2g) or (2v). may be terminated upon the request of the juvenile, parent, guardian or legal

custodian. ~~A deferred prosecution agreement under sub. (2) (a) 9. may be terminated by the court upon the request of the juvenile, parent, guardian or legal custodian.~~

**SECTION 3149.** 938.32 (1) (a) of the statutes is amended to read:

938.32 **(1)** (a) At any time after the filing of a petition for a proceeding relating to s. 938.12 or 938.13 and before the entry of judgment, the judge or juvenile court commissioner may suspend the proceedings and place the juvenile under supervision in the juvenile's own home or present placement ~~or in a youth village program as described in s. 118.42~~. The court may establish terms and conditions applicable to the parent, guardian or legal custodian, and to the juvenile, including any of the conditions specified in subs. (1d), (1g), (1m), (1t), (1v) and (1x). The order under this section shall be known as a consent decree and must be agreed to by the juvenile; the parent, guardian or legal custodian; and the person filing the petition under s. 938.25. If the consent decree includes any conditions specified in sub. (1g), the consent decree shall include provisions for payment of the services as specified in s. 938.361. The consent decree shall be reduced to writing and given to the parties.

**SECTION 3150.** 938.32 (2) (c) of the statutes is amended to read:

938.32 **(2)** (c) Upon the motion of the court or the application of the juvenile, parent, guardian, legal custodian, intake worker or any agency supervising the juvenile under the consent decree, the court may, after giving notice to the parties to the consent decree and their counsel, if any, extend the decree for up to an additional 6 months ~~or, if the consent decree places the juvenile in a youth village program as described in s. 118.42, for up to an additional one year~~ in the absence of objection to extension by the parties to the initial consent decree. If the parent, guardian or legal custodian objects to the extension, the court shall schedule a hearing and make a determination on the issue of extension. ~~A consent decree~~

~~placing a juvenile in a youth village program as described in s. 118.42 may be extended no more than twice.~~

**SECTION 3154.** 938.34 (3) (dm) of the statutes is repealed.

**SECTION 3158.** 938.34 (5m) of the statutes is amended to read:

938.34 **(5m)** COMMUNITY SERVICE WORK PROGRAM. Order the juvenile to participate in a youth corps program, as defined in s. ~~16.22~~ 46.78 (1) (dm) or another community service work program, if the sponsor of the program approves the juvenile's participation in the program.

**SECTION 3175r.** 938.532 (1) of the statutes is amended to read:

938.532 **(1)** PROGRAM. ~~The~~ From the appropriations under s. 20.410 (3) (bb) and (hm), the department shall provide a juvenile boot camp program for juveniles who have been placed under the supervision of the department under s. 938.183, 938.34 (4h) or (4m) or 938.357 (4).

**SECTION 3176.** 938.533 (2) of the statutes is amended to read:

938.533 **(2)** CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s. 20.410 (3) (hr), the department shall provide a corrective sanctions program to serve an average daily population of ~~106 juveniles in fiscal year 1997–98 and~~ 136 juveniles ~~in fiscal year 1998–99~~, or an average daily population of more than ~~106 juveniles in fiscal year 1997–98 and~~ 136 juveniles ~~in fiscal year 1998–99~~ if the appropriation under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and the positions for the program are increased under s. 13.101 or 16.505 (2) or if funding and positions to serve more than ~~those~~ that average daily ~~populations~~ population are otherwise available, in not less than 3 counties, including Milwaukee County. The office of juvenile offender review in the department shall evaluate and select for participation in the program juveniles who have been placed under the supervision of the

department under s. 938.183, 938.34 (4h) or (4m) or 938.357 (4). The department shall place a program participant in the community, provide intensive surveillance of that participant and provide an average of ~~$5,000~~ $3,000 per year per slot to purchase community–based treatment services for each participant. The department shall make the intensive surveillance required under this subsection available 24 hours a day, 7 days a week, and may purchase or provide electronic monitoring for the intensive surveillance of program participants. The department shall provide a report center in Milwaukee County to provide on–site programming after school and in the evening for juveniles from Milwaukee County who are placed in the corrective sanctions program. A contact worker providing services under the program shall have a case load of approximately 10 juveniles and, during the initial phase of placement in the community under the program of a juvenile who is assigned to that contact worker, shall have not less than one face–to–face contact per day with that juvenile. Case management services under the program shall be provided by a corrective sanctions agent who shall have a case load of approximately 15 juveniles. The department shall promulgate rules to implement the program.

**SECTION 3190t.** 943.13 (4m) (c) of the statutes is created to read:

943.13 **(4m)** (c) A person entering or remaining on any exposed shore area of a stream as authorized under s. 30.134.

**SECTION 3191.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

944.21 **(8)** (b) 3. a. Is a technical college, is a school approved by the educational approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or (h)~~ 45.54 (1) (e) 6., 7. or 8.; and

**SECTION 3191c.** 946.13 (10) of the statutes is amended to read:

946.13 **(10)** Subsection (1) (a) does not apply to a member of a ~~private industry council or appointed under the job training partnership act, 29 USC 1512,~~ local workforce development board established under 29 USC 2832 or to a member of the ~~governor's council on workforce excellence appointed under s. 15.227 (24)~~ council on workforce investment established under 29 USC 2821.

**SECTION 3191d.** 946.15 (1) of the statutes is amended to read:

946.15 **(1)** Any employer, or any agent or employe of an employer, who induces any person who seeks to be or is employed pursuant to a public contract as defined in s. 66.29 (1) (c) or who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to give up, waive or return any part of the compensation to which that person is entitled under his or her contract of employment or under the prevailing wage rate determination issued by the department or local governmental unit, or who reduces the hourly basic rate of pay normally paid to an employe for work on a project on which a prevailing wage rate determination has not been issued under s. 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3) or (6), 103.49 (3) or 103.50 (3) during a week in which the employe works both on a project on which a prevailing wage rate determination has been issued and on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class E felony.

**SECTION 3191e.** 946.15 (2) of the statutes is amended to read:

946.15 **(2)** Any person employed pursuant to a public contract as defined in s. 66.29 (1) (c) or employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 20.924 (1) (i)

3. or (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) who gives up, waives or returns to the employer or agent of the employer any part of the compensation to which the employe is entitled under his or her contract of employment or under the prevailing wage determination issued by the department or local governmental unit, or who gives up any part of the compensation to which he or she is normally entitled for work on a project on which a prevailing wage rate determination has not been issued under s. 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3) or (6), 103.49 (3) or 103.50 (3) during a week in which the person works part–time on a project on which a prevailing wage rate determination has been issued and part–time on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class C misdemeanor.

**SECTION 3191f.** 946.15 (3) of the statutes is amended to read:

946.15 **(3)** Any employer or labor organization, or any agent or employe of an employer or labor organization, who induces any person who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to permit any part of the wages to which that person is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from the person's pay is guilty of a Class E felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

**SECTION 3191g.** 946.15 (4) of the statutes is amended to read:

946.15 **(4)** Any person employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under

s. 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) who permits any part of the wages to which that person is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from his or her pay is guilty of a Class C misdemeanor, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

**SECTION 3197.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

948.11 **(4)** (b) 3. a. Is a technical college, is a school approved by the educational approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or (h)~~ 45.54 (1) (e) 6., 7. or 8.; and

**SECTION 3197j.** 948.24 (1) (b) of the statutes is amended to read:

948.24 **(1)** (b) For anything of value, solicits, negotiates or arranges the placement of a child for adoption except under s. 48.833 (1).

**SECTION 3198.** 949.08 (2) (g) of the statutes is repealed and recreated to read:

949.08 **(2)** (g) Is included on the statewide support lien docket under s. 49.854 (2) (b), unless the victim provides to the department a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**SECTION 3198m.** 950.04 (1v) (xm) of the statutes is amended to read:

950.04 **(1v)** (xm) To have the department of health and family services make a reasonable attempt to notify the victim under s. 980.11 regarding supervised release under s. ~~980.06~~ 980.08 and discharge under s. 980.09 or 980.10.

**SECTION 3199.** 950.06 (2) of the statutes is amended to read:

950.06 **(2)** The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the appropriation under s. 20.455 (5) (k), (kk) and (kp) and, on a semiannual basis, from the appropriations under s. 20.455 (5) (c) and (g).

**SECTION 3200.** 950.06 (5) of the statutes is amended to read:

950.06 **(5)** The department shall review and approve the implementation and operation of programs and the annual reports under this section. The department may suspend or terminate reimbursement under ~~s. 20.455 (5) (c) and (g)~~ sub. (2) if the county fails to comply with its duties under this section. The department shall promulgate rules under ch. 227 for implementing and administering county programs approved under this section.

**SECTION 3202c.** 973.032 (2) (b) of the statutes is amended to read:

973.032 **(2)** (b) Notwithstanding par. (a), a court may not sentence a person under sub. (1) if he or she is convicted of a felony punishable by life imprisonment or has at any time been convicted, adjudicated delinquent or found not guilty or not responsible by reason of insanity or mental disease, defect or illness for committing a violent offense, as defined in s. 301.048 (2) (bm).

**SECTION 3202e.** 973.046 (1) (intro.) of the statutes is renumbered 973.046 (1r) and amended to read:

973.046 **(1r)** If a court imposes a sentence or places a person on probation ~~under any of the following circumstances~~ for a violation of s. 940.225, 948.02 (1) or (2) or 948.025, the court shall impose a deoxyribonucleic acid analysis surcharge of $250~~:~~.

**SECTION 3202f.** 973.046 (1) (a) of the statutes is repealed.

**SECTION 3202g.** 973.046 (1) (b) of the statutes is repealed.

**SECTION 3202h.** 973.046 (1g) of the statutes is created to read:

973.046 **(1g)** Except as provided in sub. (1r), if a court imposes a sentence or places a person on probation for a felony conviction, the court may impose a deoxyribonucleic acid analysis surcharge of $250.

**SECTION 3202k.** 973.047 (1) (a) of the statutes is renumbered 973.047 (1f) and amended to read:

973.047 **(1f)** If a court imposes a sentence or places a person on probation for a ~~violation of s. 940.225, 948.02 (1) or (2) or 948.025~~ felony conviction, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

**SECTION 3202L.** 973.047 (1) (b) of the statutes is repealed.

**SECTION 3202m.** 973.047 (1) (c) of the statutes is renumbered 973.047 (1m) and amended to read:

973.047 **(1m)** The results from deoxyribonucleic acid analysis of a specimen provided under ~~par. (a) or (b)~~ this section may be used only as authorized under s. 165.77 (3). The state crime laboratories shall destroy any such specimen in accordance with s. 165.77 (3).

**SECTION 3202p.** 973.047 (2) of the statutes is amended to read:

973.047 **(2)** The department of justice shall promulgate rules providing for procedures for defendants to provide specimens when required to do so under ~~sub.~~

~~(1)~~ this section and for the transportation of those specimens to the state crime laboratories for analysis under s. 165.77.

**SECTION 3203.** 973.05 (1) of the statutes is amended to read:

973.05 **(1)** When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime victim and witness assistance surcharge under s. 973.045, the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid analysis surcharge under s. 973.046, any applicable drug abuse program improvement surcharge imposed by s. 961.41 (5), any applicable consumer information assessment imposed by s. 100.261, any applicable domestic abuse assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver improvement surcharge imposed by s. 346.655, any applicable enforcement assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any applicable environmental assessment imposed by s. 299.93, any applicable wild animal protection assessment imposed by s. 29.983, any applicable natural resources assessment imposed by s. 29.987 and any applicable natural resources restitution payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, the jail assessment, the crime victim and witness assistance surcharge, the crime laboratories and drug law enforcement assessment, any applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse program improvement surcharge, any applicable consumer information assessment, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any

applicable enforcement assessment, any applicable weapons assessment, any applicable uninsured employer assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

**SECTION 3204.** 973.05 (2) of the statutes is amended to read:

973.05 **(2)** When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, the jail assessment, the crime victim and witness assistance surcharge, the crime laboratories and drug law enforcement assessment, any applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse program improvement surcharge, <u>any applicable consumer information assessment,</u> any applicable domestic abuse assessment, any applicable uninsured employer assessment, any applicable driver improvement surcharge, any applicable enforcement assessment under s. 253.06 (4) (c), any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment and any applicable natural resources restitution payments a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in full, shall then be applied to the payment of the jail assessment until paid in full, shall then be applied to the payment of part A of the crime victim and witness assistance surcharge until paid in full, shall then be applied to part B of the crime victim and witness assistance surcharge until paid in full, shall then be applied to the crime laboratories and drug law enforcement assessment until paid in full, shall then be applied to the deoxyribonucleic acid

analysis surcharge until paid in full, shall then be applied to the drug abuse improvement surcharge until paid in full, shall then be applied to payment of the driver improvement surcharge until paid in full, shall then be applied to payment of the domestic abuse assessment until paid in full, shall then be applied to payment of the consumer information assessment until paid in full, shall then be applied to payment of the natural resources assessment if applicable until paid in full, shall then be applied to payment of the natural resources restitution payment until paid in full, shall then be applied to the payment of the environmental assessment if applicable until paid in full, shall then be applied to the payment of the wild animal protection assessment if applicable until paid in full, shall then be applied to payment of the weapons assessment until paid in full, shall then be applied to payment of the uninsured employer assessment until paid in full, shall then be applied to payment of the enforcement assessment under s. 253.06 (4) (c), if applicable, until paid in full and shall then be applied to payment of the fine.

**SECTION 3205.** 973.07 of the statutes is amended to read:

**973.07 Failure to pay fine or costs or to comply with certain community service work.** If the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, crime laboratories and drug law enforcement assessment, applicable deoxyribonucleic acid analysis surcharge, applicable drug abuse program improvement surcharge, applicable consumer information assessment, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment and applicable natural

resources restitution payments are not paid or community service work under s. 943.017 (3) is not completed as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, crime laboratories and drug law enforcement assessment, applicable deoxyribonucleic acid analysis surcharge, applicable drug abuse program improvement surcharge, applicable consumer information assessment, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment or applicable natural resources restitution payments are paid or discharged, or the community service work under s. 943.017 (3) is completed, for a period fixed by the court not to exceed 6 months.

**SECTION 3205d.** 973.09 (1) (d) of the statutes is renumbered 973.09 (1) (d) (intro.) and amended to read:

973.09 **(1)** (d) (intro.) If a person is convicted of an offense that provides a mandatory or presumptive minimum period of one year or less of imprisonment, a court may place the person on probation under par. (a) if the court requires, as a condition of probation, that the person be confined under sub. (4) for at least that mandatory or presumptive minimum period. The person is eligible to earn good time credit calculated under s. 302.43 regarding the period of confinement. This paragraph does not apply if the conviction is for any of the following:

1. A violation under s. 346.63 (1) that subjects the person to a mandatory minimum period of imprisonment under s. 346.65 (2) (b) or (c).

**SECTION 3205e.** 973.09 (1) (d) 2. of the statutes is created to read:

973.09 **(1)** (d) 2. A violation under s. 346.63 (2) or (6) that subjects the person to a mandatory minimum period of imprisonment under s. 346.65 (3m), if the person has a total of 3 or fewer convictions, suspensions or revocations counted under s. 343.307 (2).

**SECTION 3205f.** 973.09 (1) (d) 3. of the statutes is created to read:

973.09 **(1)** (d) 3. A violation under s. 346.63 (5) that subjects the person to a mandatory minimum period of imprisonment under s. 346.65 (2j) (c), if the person has a total of 3 or fewer convictions, suspensions or revocations counted under s. 343.307 (2).

**SECTION 3206g.** 977.08 (5) (b) of the statutes is repealed.

**SECTION 3206h.** 977.08 (5) (bn) (intro.) of the statutes is amended to read:

977.08 **(5)** (bn) (intro.) ~~Beginning on October 14, 1997, and ending on June 30, 1999~~ Except as provided in par. (br), any of the following constitutes an annual caseload standard for an assistant state public defender in the subunit responsible for trials:

**SECTION 3206k.** 977.08 (5) (bn) 1r. of the statutes is amended to read:

977.08 **(5)** (bn) 1r. Cases representing persons under ~~ss.~~ s. 980.05 ~~and 980.06~~: 15.

**SECTION 3207.** 977.08 (5) (br) of the statutes is created to read:

977.08 **(5)** (br) Beginning on July 1, 2000, the state public defender may exempt up to 10 full–time assistant state public defenders in the subunit responsible for trials from the annual caseload standards under par. (bn) based on their need to perform other assigned duties.

**SECTION 3207r.** 978.01 (2) (b) of the statutes is amended to read:

978.01 **(2)** (b) A district attorney serves on a part–time basis if his or her prosecutorial unit consists of Buffalo, Florence, Forest, Pepin, ~~Richland, Rusk,~~ Trempealeau or Vernon county.

**SECTION 3208.** 978.03 (3) of the statutes is amended to read:

978.03 **(3)** Any assistant district attorney under sub. (1), (1m) or (2) must be an attorney admitted to practice law in this state and, except as provided in s. 978.043, may perform any duty required by law to be performed by the district attorney. The district attorney of the prosecutorial unit under sub. (1), (1m) or (2) may appoint such temporary counsel as may be authorized by the department of administration.

**SECTION 3209.** 978.04 of the statutes is amended to read:

**978.04 Assistants in certain prosecutorial units.** The district attorney of any prosecutorial unit having a population of less than 100,000 may appoint one or more assistant district attorneys as necessary to carry out the duties of his or her office and as may be requested by the department of administration authorized in accordance with s. 16.505. Any such assistant district attorney must be an attorney admitted to practice law in this state and, except as provided in s. 978.043, may perform any duty required by law to be performed by the district attorney.

**SECTION 3209m.** 978.042 of the statutes is created to read:

**978.042 Prosecutor caseload measurement; redistribution of assistant district attorney positions. (1)** The department of administration shall develop a weighted prosecutor caseload measurement formula to assist in determining the comparative need for assistant district attorneys in this state. The formula shall be based on the number of cases filed in a given year and the time needed to prosecute the cases, as applied to the average number of cases filed by a prosecutorial unit

during the most recent 3–year period for which data is available. The department may consult with the Wisconsin District Attorneys Association in developing the formula.

**(2)** Notwithstanding s. 978.03 and 978.04, the department of administration shall transfer an authorized assistant district attorney position from the prosecutorial unit to which it is allocated to another prosecutorial unit if all of the following apply:

(a) A vacancy occurs in the position.

(b) The prosecutorial unit from which the position is transferred has a prosecutor workload of less than 100% of the standard full–time workload, according to the weighted prosecutor caseload measurement formula developed under sub. (1), and transferring the position from the prosecutorial unit would not result in the prosecutorial unit having a prosecutor workload of more than 100% of the standard full–time workload, according to the weighted prosecutor caseload measurement formula developed under sub. (1).

(c) The prosecutorial unit to which the position is transferred requested additional assistant district attorney position authorization for the fiscal biennium in which the transfer is made and has a prosecutor workload of more than 100% of the standard full–time workload, according to the weighted prosecutor caseload measurement formula developed under sub. (1).

**SECTION 3210.** 978.043 of the statutes is created to read:

**978.043 Assistants for prosecution of sexually violent person commitment cases.** The district attorney of the prosecutorial unit that consists of Brown County and the district attorney of the prosecutorial unit that consists of Milwaukee County shall each assign one assistant district attorney in his or her

prosecutorial unit to be a sexually violent person commitment prosecutor. An assistant district attorney assigned under this section to be a sexually violent person commitment prosecutor may engage only in the prosecution of sexually violent person commitment proceedings under ch. 980 and, at the request of the district attorney of the prosecutorial unit, may file and prosecute sexually violent person commitment proceedings under ch. 980 in any prosecutorial unit in this state.

**SECTION 3211.** 978.05 (8) (b) of the statutes is amended to read:

978.05 **(8)** (b) Hire, employ and supervise his or her staff and, subject to s. 978.043, make appropriate assignments of the staff throughout the prosecutorial unit. The district attorney may request the assistance of district attorneys, deputy district attorneys or assistant district attorneys from other prosecutorial units or assistant attorneys general who then may appear and assist in the investigation and prosecution of any matter for which a district attorney is responsible under this chapter in like manner as assistants in the prosecutorial unit and with the same authority as the district attorney in the unit in which the action is brought. Nothing in this paragraph limits the authority of counties to regulate the hiring, employment and supervision of county employes.

**SECTION 3211p.** 978.12 (5) (b) of the statutes is amended to read:

978.12 **(5)** (b) *Employes generally.* District attorneys and state employes of the office of district attorney shall be included within the provisions of the Wisconsin retirement system under ch. 40 as a participating employe of that office, except that the district attorney and state employes of the office of district attorney in a county having a population of 500,000 or more have the option provided under ~~par. (c)~~ s. 978.12 (5) (c), 1997 stats.

**SECTION 3211r.** 978.12 (5) (c) 5. of the statutes is repealed.

**SECTION 3211t.** 978.12 (6) of the statutes is renumbered 978.12 (6) (a) and amended to read:

978.12 **(6)** (a) District attorneys and state employes of the office of district attorney shall be included within all insurance benefit plans under ch. 40, except as authorized in this ~~subsection~~ paragraph. Alternatively, the state shall provide insurance benefit plans for district attorneys and state employes in the office of district attorney in the manner provided in this ~~subsection~~ paragraph. A district attorney or other employe of the office of district attorney who was employed in that office as a county employe on December 31, 1989, and who received any form of fringe benefits other than a retirement, deferred compensation or employe–funded reimbursement account plan as a county employe, as defined by that county pursuant to the county's personnel policies, or pursuant to a collective bargaining agreement in effect on January 1, 1990, or the most recent collective bargaining agreement covering represented employes who are not covered by such an agreement, may elect to continue to be covered under all such fringe benefit plans provided by the county after becoming a state employe. In a county having a population of 500,000 or more, the fringe benefit plans shall include health insurance benefits fully paid by the county for each retired employe who, on or after December 31, 1989, attains at least 15 years of service in the office of district attorney of that county, whether or not the service is as a county employe, for the duration of the employe's life. An employe may make an election under this ~~subsection~~ paragraph no later than January 31, 1990, except that an employe who serves as an assistant district attorney in a county having a population of 500,000 or more may make an election under this ~~subsection~~ paragraph no later than March 1, 1990. An election under this ~~subsection~~ paragraph shall be for the duration of the employe's

employment in the office of district attorney for the same county by which the employe was employed or until the employe terminates the election under this ~~subsection~~ paragraph, at the same cost to the county as the county incurs for a similarly situated county employe. ~~If~~ Subject to par. (b), if the employer's cost for such fringe benefits for any such employe is less than or equal to the cost for comparable coverage under ch. 40, if any, the state shall reimburse the county for that cost. ~~If~~ Subject to par. (b), if the employer's cost for such fringe benefits for any such employe is greater than the cost for comparable coverage under ch. 40, the state shall reimburse the county for the cost of comparable coverage under ch. 40 and the county shall pay the remainder of the cost. The cost of comparable coverage under ch. 40 shall equal the average cost of comparable coverage under ch. 40 for employes in the office of the state public defender, as contained in budget determinations approved by the joint committee on finance or the legislature under the biennial budget act for the period during which the costs are incurred. An employe who makes the election under this ~~subsection~~ paragraph may terminate that election, and shall then be included within all insurance benefit plans under ch. 40, except that the department of employe trust funds may require prior written notice, not exceeding one year's duration, of an employe's intent to be included under any insurance benefit plan under ch. 40.

**SECTION 3211v.** 978.12 (6) (b) of the statutes is created to read:

978.12 **(6)** (b) Beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, the state shall in each fiscal year reduce its reimbursement of the employer's cost for fringe benefits under par. (a) by $80,000.

**SECTION 3212.** 978.13 (1) (b) of the statutes is amended to read:

978.13 **(1)** (b) In counties having a population of 500,000 or more, the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney's office handling cases involving felony violations under ch. 961. The state treasurer shall pay the amount authorized under this paragraph to the county treasurer pursuant to a voucher submitted by the district attorney to the department of administration from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph may not exceed ~~$70,500~~ $75,200 in the ~~1997–98~~ 1999–2000 fiscal year and ~~$73,000~~ $77,500 in the ~~1998–99~~ 2000–01 fiscal year.

**SECTION 3213.** 978.13 (1) (c) of the statutes is amended to read:

978.13 **(1)** (c) In counties having a population of 500,000 or more, the salary and fringe benefit costs of clerk positions in the district attorney's office necessary for the prosecution of violent crime cases primarily involving felony violations under s. 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall pay the amount authorized under this paragraph to the county treasurer pursuant to a voucher submitted by the district attorney to the secretary of administration from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph may not exceed ~~$88,500~~ $94,400 in the ~~1997–98~~ 1999–2000 fiscal year and ~~$91,600~~ $97,200 in the ~~1998–99~~ 2000–01 fiscal year.

**SECTION 3213c.** 978.13 (1) (d) of the statutes is created to read:

978.13 **(1)** (d) In counties having a population of 500,000 or more, the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney's office handling cases involving the unlawful possession or use of firearms. The state treasurer shall pay the amount authorized

under this paragraph to the county treasurer from the appropriation under s. 20.475 (1) (f) pursuant to a voucher submitted by the district attorney to the department of administration. The amount paid under this paragraph may not exceed $51,300 in the 1999–2000 fiscal year and $64,400 in the 2000–01 fiscal year.

**SECTION 3221.** 980.03 (4) of the statutes is amended to read:

980.03 **(4)** Whenever ~~the~~ a person who is the subject of ~~the~~ a petition filed under s. 980.02 or who has been committed under s. 980.06 is required to submit to an examination under this chapter, he or she may retain experts or professional persons to perform an examination. If the person retains a qualified expert or professional person of his or her own choice to conduct an examination, the examiner shall have reasonable access to the person for the purpose of the examination, as well as to the person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient health care records as provided under s. 146.82 (2) (c). If the person is indigent, the court shall, upon the person's request, appoint a qualified and available expert or professional person to perform an examination and participate in the trial or other proceeding on the person's behalf. Upon the order of the circuit court, the county shall pay, as part of the costs of the action, the costs of ~~a court–appointed~~ an expert or professional person appointed by a court under this subsection to perform an examination and participate in the trial or other proceeding on behalf of an indigent person. An expert or professional person appointed to assist an indigent person who is subject to a petition may not be subject to any order by the court for the sequestration of witnesses at any proceeding under this chapter.

**SECTION 3223c.** 980.05 (6) of the statutes is repealed.

**SECTION 3223h.** 980.06 (1) of the statutes is renumbered 980.06 and amended to read:

**980.06 Commitment.** If a court or jury determines that the person who is the subject of a petition under s. 980.02 is a sexually violent person, the court shall order the person to be committed to the custody of the department for control, care and treatment until such time as the person is no longer a sexually violent person. A commitment order under this section shall specify that the person be placed in institutional care.

**SECTION 3223i.** 980.06 (2) (a) of the statutes is repealed.

**SECTION 3223j.** 980.06 (2) (b) of the statutes is repealed.

**SECTION 3223k.** 980.06 (2) (c) of the statutes is repealed.

**SECTION 3223L.** 980.06 (2) (d) of the statutes is renumbered 980.08 (6m) and amended to read:

980.08 **(6m)** An order for supervised release places the person in the custody and control of the department. The department shall arrange for control, care and treatment of the person in the least restrictive manner consistent with the requirements of the person and in accordance with the plan for supervised release approved by the court under sub. (5). A person on supervised release is subject to the conditions set by the court and to the rules of the department. Before a person is placed on supervised release by the court under this section, the court shall so notify the municipal police department and county sheriff for the municipality and county in which the person will be residing. The notification requirement under this ~~paragraph~~ subsection does not apply if a municipal police department or county sheriff submits to the court a written statement waiving the right to be notified. If the department alleges that a released person has violated any condition or rule, or that the safety of others requires that supervised release be revoked, he or she may be taken into custody under the rules of the department. The department shall

submit a statement showing probable cause of the detention and a petition to revoke the order for supervised release to the committing court and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within ~~48~~ 72 hours after the detention, excluding Saturdays, Sundays and legal holidays. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department may detain the person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of others requires that supervised release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of others requires that supervised release be revoked, it may revoke the order for supervised release and order that the released person be placed in an appropriate institution until the person is discharged from the commitment under s. 980.09 or until again placed on supervised release under ~~s. 980.08~~ this section.

**SECTION 3230m.** 980.065 (1m) of the statutes is amended to read:

980.065 **(1m)** The department ~~may~~ shall place a person committed ~~to institutional care~~ under s. 980.06 ~~(2) (b)~~ at ~~a mental health unit or facility, including a~~ the secure mental health ~~unit or~~ facility ~~at~~ established under s. 46.055, the Wisconsin resource center established under s. 46.056 or a secure mental health unit or facility provided by the department of corrections under sub. (2).

**SECTION 3231m.** 980.065 (2) of the statutes is amended to read:

980.065 **(2)** The department may contract with the department of corrections for the provision of a secure mental health unit or facility for persons committed ~~to~~

~~institutional care~~ under s. 980.06 ~~(2) (b)~~. The department shall operate a secure mental health unit or facility provided by the department of corrections under this subsection and shall promulgate rules governing the custody and discipline of persons placed by the department in the secure mental health unit or facility provided by the department of corrections under this subsection.

**SECTION 3232.** 980.07 (1) of the statutes is amended to read:

980.07 **(1)** If a person has been committed under s. 980.06 and has not been discharged under s. 980.09, the department shall conduct an examination of his or her mental condition within 6 months after an initial commitment under s. 980.06 and again thereafter at least once each 12 months for the purpose of determining whether the person has made sufficient progress ~~to be entitled to transfer to a less restrictive facility, to~~ for the court to consider whether the person should be placed on supervised release or ~~to discharge~~ discharged. At the time of a reexamination under this section, the person who has been committed may retain or~~, if he or she is indigent and so requests,~~ seek to have the court ~~may~~ appoint ~~a qualified expert or a professional person to examine him or her~~ an examiner as provided under s. 980.03 (4).

**SECTION 3232p.** 980.08 (1) of the statutes is amended to read:

980.08 **(1)** Any person who is committed ~~to institutional care~~ under s. 980.06 may petition the committing court to modify its order by authorizing supervised release if at least ~~6~~ 18 months have elapsed since the initial commitment order was entered~~,~~ or at least 6 months have elapsed since the most recent release petition was denied or the most recent order for supervised release was revoked. The director of the facility at which the person is placed may file a petition under this subsection on the person's behalf at any time.

**SECTION 3233.** 980.08 (3) of the statutes is amended to read:

980.08 **(3)** Within 20 days after receipt of the petition, the court shall appoint one or more examiners having the specialized knowledge determined by the court to be appropriate, who shall examine the person and furnish a written report of the examination to the court within 30 days after appointment. The examiners shall have reasonable access to the person for purposes of examination and to the person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient health care records, as provided under s. 146.82 (2) (c). If any such examiner believes that the person is appropriate for supervised release under the criterion specified in sub. (4), the examiner shall report on the type of treatment and services that the person may need while in the community on supervised release. The county shall pay the costs of an examiner appointed under this subsection as provided under s. 51.20 (18) (a).

**SECTION 3234m.** 980.08 (4) of the statutes is amended to read:

980.08 **(4)** The court, without a jury, shall hear the petition within 30 days after the report of the court–appointed examiner is filed with the court, unless the petitioner waives this time limit. Expenses of proceedings under this subsection shall be paid as provided under s. 51.20 (18) (b), (c) and (d). The court shall grant the petition unless the state proves by clear and convincing evidence that the person is still a sexually violent person and that it is still substantially probable that the person will engage in acts of sexual violence if the person is not continued in institutional care. In making a decision under this subsection, the court may consider, without limitation because of enumeration, the nature and circumstances of the behavior that was the basis of the allegation in the petition under s. 980.02 (2) (a), the person's mental history and present mental condition, where the person will

live, how the person will support himself or herself and what arrangements are available to ensure that the person has access to and will participate in necessary treatment, including pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen if the person is a serious child sex offender. A decision under this subsection on a petition filed by a person who is a serious child sex offender may not be made based on the fact that the person is a proper subject for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen or on the fact that the person is willing to participate in pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

**SECTION 3238d.** 980.08 (6) of the statutes is repealed.

**SECTION 3238h.** 980.09 (1) (c) of the statutes is amended to read:

980.09 **(1)** (c) If the court is satisfied that the state has not met its burden of proof under par. (b), the petitioner shall be discharged from the custody or supervision of the department. If the court is satisfied that the state has met its burden of proof under par. (b), the court may proceed ~~under s. 980.06~~ to determine, using the criterion specified in s. 980.08 (4), whether to modify the petitioner's existing commitment order by authorizing supervised release.

**SECTION 3238j.** 980.09 (2) (c) of the statutes is amended to read:

980.09 **(2)** (c) If the court is satisfied that the state has not met its burden of proof under par. (b), the person shall be discharged from the custody or supervision of the department. If the court is satisfied that the state has met its burden of proof under par. (b), the court may proceed ~~under s. 980.06~~ to determine, using the criterion specified in s. 980.08 (4), whether to modify the person's existing commitment order by authorizing supervised release.

**SECTION 3238t.** 980.11 (2) (intro.) of the statutes is amended to read:

980.11 **(2)** (intro.) If the court places a person on supervised release under s. ~~980.06~~ 980.08 or discharges a person under s. 980.09 or 980.10, the department shall do all of the following:

**SECTION 3239.** 980.12 (1) of the statutes is amended to read:

980.12 **(1)** ~~The~~ Except as provided in ss. 980.03 (4) and 980.08 (3), the department shall pay from the appropriations under s. 20.435 (2) (a) and (bm) for all costs relating to the evaluation, treatment and care of persons evaluated or committed under this chapter.

**SECTION 3239d.** 980.12 (2) of the statutes is amended to read:

980.12 **(2)** By February 1, 2002, the department shall submit a report to the legislature under s. 13.172 (2) concerning the extent to which pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen has been required as a condition of supervised release under s. 980.06, 1997 stats., or s. 980.08 and the effectiveness of the treatment in the cases in which its use has been required.

**SECTION 3240.** 985.01 (1) of the statutes is renumbered 985.01 (1m).

**SECTION 3241.** 985.01 (1g) of the statutes is created to read:

985.01 **(1g)** "Governing body" has the meaning given in s. 345.05 (1) (b) and includes a family care district board under s. 46.2895.

**SECTION 3242.** 985.01 (3) of the statutes is amended to read:

985.01 **(3)** "Municipality" has the meaning in s. 345.05 (1) (c) and ~~"governing body" the meaning in s. 345.05 (1) (b) with reference to such municipality~~ includes a family care district under s. 46.2895.

**SECTION 3244.** Laws of 1929, chapter 151, section 1 is amended to read:

[Laws of 1929, chapter 151] Section 1. All the right, title and interest of the state of Wisconsin in the lands hereinafter described, whether any part or parcel thereof may be, at the time of the passage and publication of this act, dry or submerged under the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of Milwaukee, a municipal corporation, for the purpose of improving, filling, and utilizing the same <u>for public park purposes or</u> in aid of navigation and the fisheries, in any manner the said city may deem expedient~~, and particularly for the purpose of~~. <u>Such land may also be used for the purpose of</u> establishing and maintaining thereon breakwaters, bulkheads, piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other harbor facilities, together with such other uses not inconsistent with the improvement of navigation and fisheries in Lake Michigan, and the navigable waters tributary thereto, as said city may deem expedient.

**SECTION 3245.** Laws of 1929, chapter 151, section 3 is amended to read:

[Laws of 1929, chapter 151] Section 3. The said grantee, the city of Milwaukee, shall not convey any portion or the whole of the lands so granted, ceded and confirmed, and described in section 2 of this act, to any other party, either by warranty deed, quit claim, or in any other manner, except that it may convey to the government of the United States such portion thereof as may be desirable for the promotion of navigation; and it may also convey said lands to any harbor district or other public corporation that may hereafter be organized, under any law of this state, <u>for public park purposes or</u> for the purpose of maintaining and operating a public port; and it may further lease for limited terms not exceeding thirty years, such particular parcels or portions thereof as the board of harbor commissioners may deem expedient, to parties desiring to employ such leased portions and parcels <u>for</u>

public park purposes or in the maintaining, operating or using of any harbor facilities thereon.

**SECTION 3246.** Laws of 1929, chapter 151, section 4 is amended to read:

[Laws of 1929, chapter 151] Section 4. Whenever the said city of Milwaukee shall convey or attempt to convey the whole or any portion of the lands hereby granted, ceded or confirmed, to any other party except as herein provided, or shall use said lands or any part thereof for purposes permanently inconsistent with their use for public park purposes or for the promotion of navigation and the fisheries, such land, or any part thereof so conveyed or attempted to be conveyed, or used inconsistently as hereinabove stated, shall revert to the state of Wisconsin.

**SECTION 3247.** Laws of 1973, chapter 76, section 1 is amended to read:

[Laws of 1973, chapter 76] Section 1. All the right, title and interest of the state of Wisconsin in the lands hereinafter described, whether any part or parcel thereof may be, at the time of the passage and publication of this act, dry or submerged under the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of Milwaukee, a municipal corporation, for the purpose of improving, filling, and utilizing the same for public park purposes or in aid of navigation and the fisheries and in addition for such further and other use which the board of harbor commissioners of the city of Milwaukee may deem appropriate and expedient and which the common council approves by resolution. Such land ~~shall~~ may also be used for the purpose of establishing and maintaining thereon breakwaters, bulkheads, piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other harbor facilities, together with such other uses not inconsistent with the improvement of navigation and fisheries in Lake Michigan, and the navigable waters tributary thereto, as the city may deem expedient.

**SECTION 3248.** Laws of 1973, chapter 76, section 3 is amended to read:

[Laws of 1973, chapter 76] Section 3. The city of Milwaukee, shall not convey any portion or the whole of the lands so granted, ceded and confirmed, and described in SECTION 2 of this act, to any other party, either by warranty deed, quit claim, or in any other manner, except that it may convey to the government of the United States such portion thereof as may be desirable for the promotion of navigation; and it may also convey lands to any harbor district or other public corporation that may hereafter be organized, under any law of this state, <u>for public park purposes or</u> for the purpose of maintaining and operating a public port; and it may further lease for an initial term not exceeding 30 years, such particular parcels or portions thereof as the board of harbor commissioners considers advisable, to parties desiring to employ such leased portions and parcels <u>for public park purposes or</u> in a manner determined by the board of harbor commissioners to be for the best interests of port and harbor development.

**SECTION 3261.** 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 1997 Wisconsin Act 27, section 5510s, is amended to read:

[1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997, until July 1, ~~1999~~ <u>2001</u>, operate the ~~juvenile~~ secured correctional facility<u>, as defined in section 938.02 (15m) of the statutes,</u> authorized under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named in section 302.01 of the statutes, as affected by this act, for the placement of prisoners, as defined in section 301.01 (2) of the statutes, who are not more than 21 years of age and who are not violent offenders, as determined by the department of corrections.

**SECTION 3261g.** 1997 Wisconsin Act 27, section 9101 (11h) is repealed.

**SECTION 3261m.** 1997 Wisconsin Act 27, section 9107 (1) (b) 1. is amended to read:

[1997 Wisconsin Act 27] Section 9107 (1) (b)

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| Probation and parole holding ~~facility/alcohol~~ and alcohol and other drug abuse treatment facility ~~to provide 600 beds~~ in ~~southeastern Wisconsin~~ the city of Milwaukee | $ 49,800,000 |
| Medium security correctional facility or facilities to provide 1,000 beds | 74,800,000 |
| (Total project all funding sources $85,000,000) | |
| Green Bay Correctional Institution — expansion of segregation unit by 42 cells | 500,000 |
| Perimeter security enhancement at maximum security correctional institution under s. 301.16 (1n), stats. | 750,000 |
| Perimeter security improvement at Oakhill Correctional Institution | 600,000 |
| Ethan Allen School — gate house facility | 990,000 |

**SECTION 3261p.** 1997 Wisconsin Act 27, section 9107 (2) is repealed.

**SECTION 3262.** 1997 Wisconsin Act 27, section 9410 (5g) is amended to read:

[1997 Wisconsin Act 27] Section 9410 (5g) ELIMINATION OF RECYCLING MARKET DEVELOPMENT BOARD. The treatment of sections 15.07 (1) (b) 19., 15.155 (2), ~~16.72 (7) (by SECTION 119d),~~ 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm)

(by SECTION 205d), 20.923 (4) (a) 4q., 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3) and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION 3620m) of the statutes takes effect on June 30, 2001.

**SECTION 3262m.** 1997 Wisconsin Act 27, section 9456 (3m) is amended to read:

[1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION BOARD ~~AND WISCONSIN LAND COUNCIL~~. The treatment of sections 15.07 (1) (b) 16., 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), ~~20.505 (1) (ka) (by SECTION 669am),~~ 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1) (e), 36.25 (12m) (intro.), 59.43 (2) (ag) 1. and (e), 59.72 (1) (a) and (b), (3) (intro.), (a) and (b) and (5) and 92.10 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2) and (4), 16.967 (title) and (1) to (9), 20.505 (1) (ie), (ig)~~,~~ and (ij) ~~and (ks)~~, 23.32 (2) (d), 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of the statutes and Section 9101 (1) of this act take effect on September 1, ~~2003~~ 2005.

**SECTION 3262n.** 1997 Wisconsin Act 27, section 9456 (3n) is created to read:

[1997 Wisconsin Act 27] Section 9456 (3n) ELIMINATION OF WISCONSIN LAND COUNCIL. The treatment of section 20.505 (1) (ka) (by SECTION 669am) of the statutes and the repeal of sections 16.967 (10) and 20.505 (1) (ks) of the statutes take effect on September 1, 2003.

**SECTION 3263.** 1997 Wisconsin Act 84, section 168 (intro.) is amended to read:

[1997 Wisconsin Act 84] Section 168. **Effective dates.** (intro.) This act takes effect on the date stated in the notice published by the secretary of transportation in the Wisconsin Administrative Register under section 85.515 of the statutes, as created by this act, or on ~~the first day of the 25th month beginning after publication~~ May 1, 2001, whichever is earlier, except as follows:

**SECTION 3264.** 1997 Wisconsin Act 154, section 3 (1) is amended to read:

[1997 Wisconsin Act 154] Section 3 (1) STATEWIDE TRAUMA CARE SYSTEM; REPORT. The department of health and family services and the statewide trauma advisory council shall prepare a joint report on the development and implementation of a statewide trauma care system. The report shall make recommendations on issues that need to be resolved in developing and implementing the system, including minimum services in rendering patient care; transport protocols; area trauma advisory councils and plans; development of a method to classify hospitals as to their respective emergency care capabilities and methods to make the resulting information available for public use; improving the communications systems between hospitals and prehospital elements of the trauma care system; development of a statewide trauma registry, including a data system to measure the effectiveness of trauma care and to develop ways to promote ongoing quality improvement; triage; interfacility transfers; enhancing the training and education of health care personnel involved in the provision of trauma care services; and monitoring adherence to rules. Not later than January 1, ~~2000~~ 2001, the department and the statewide trauma advisory council shall submit the report to the legislature in the manner provided under section 13.172 (2) of the statutes, to the joint committee on finance of the legislature as provided in subsection (2), to the governor and to the emergency medical services board.

**SECTION 3265.** 1997 Wisconsin Act 237, section 4x is repealed.

**SECTION 3266.** 1997 Wisconsin Act 237, section 48h is repealed.

**SECTION 3267.** 1997 Wisconsin Act 237, section 9101 (1z) (b), (c) (intro.), (d) 1., (g) (intro.) and (h) are amended to read:

[1997 Wisconsin Act 237] Section 9101 (1z) (b) *Purpose of grants.* From the appropriation under section 20.505 ~~(4)~~ (1) (fm) of the statutes, ~~as created by this act,~~

the ~~national and community service board~~ department of administration shall award grants, in the amounts specified in paragraph (c), to countywide consortiums to assist those countywide consortiums in coordinating and documenting progress within their counties toward reaching the goal of providing the 5 fundamental resources to underserved youth.

(c) *Amount of grants.* (intro.) The ~~national and community service board~~ department of administration shall determine the amount of a grant awarded under paragraph (b) based on the number of underserved youth who are to receive the 5 fundamental resources as a result of the countywide consortium's efforts under paragraph (f). The ~~national and community service board~~ department of administration shall award the following amounts based on the following numbers of underserved youth targeted by a countywide consortium:

(d) 1. The ~~national and community service board~~ department of administration may award a grant under paragraph (b) only to a countywide consortium that agrees to match the grant, in cash, in an amount this is not less than 200% of the grant amount received.

(g) *Fiscal agent; reporting.* (intro.) Each countywide consortium that applies for a grant under paragraph (b) shall identify a fiscal agent who shall receive, manage and account for the grant moneys awarded under paragraph (b) and the matching funds committed under paragraph (d) 1. and who shall provide to the ~~national and community service board~~ department of administration the following reports detailing the progress of the countywide consortium in accomplishing the tasks specified in paragraph (f):

(h) *Capacity building.* The ~~national and community service board~~ department of administration may expend any moneys in the appropriation account under

section 20.505 ~~(4)~~ (1) (fm) of the statutes~~, as created by this act,~~ that are not awarded as grants under paragraph (b) to build the capacity of individuals, public agencies, nonprofit organizations and other persons to provide the 5 fundamental resources to underserved youth by contracting for the provision of the training and technical assistance specified in paragraph (f) 4.

**SECTION 3268.** 1997 Wisconsin Act 237, section 9401 (1z) is repealed.

**SECTION 9101. Nonstatutory provisions; administration.**

(1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of administration primarily related to the functions of the national and community service board, except the Wisconsin challenge grant program, as determined by the secretary of administration, shall become the assets and liabilities of the department of health and family services.

(b) *Positions and employes.*

1. On the effective date of this subdivision, all full–time equivalent positions in the department of administration having duties primarily related to the functions of the national and community service board, except the Wisconsin challenge grant program, as determined by the secretary of administration, are transferred to the department of health and family services.

2. All incumbent employes holding positions specified in subdivision 1. are transferred on the effective date of this subdivision to the department of health and family services.

3. Employes transferred under subdivision 2. have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of health and family services that they enjoyed in the department of

administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statues, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of administration that is primarily related to the functions of the national and community service board, except the Wisconsin challenge grant program, as determined by the secretary of administration, is transferred to the department of health and family services.

(d) *Contracts.* All contracts entered into by the department of administration in effect on the effective date of this paragraph that are primarily related to the functions of the national and community service board, except the Wisconsin challenge grant program, as determined by the secretary of administration, remain in effect and are transferred to the department of health and family services. The department of health and family services shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of health and family services to the extent allowed under the contract.

(2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend $83,600 in fiscal year 1999–2000 and $87,800 in fiscal year 2000–01 to provide the multijurisdictional enforcement group serving Dane County with funding for one assistant district attorney to prosecute criminal violations of chapter 961 of the statutes.

(3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend $263,000 in fiscal year 1999–2000 and $271,300 in fiscal year 2000–01 to provide the multijurisdictional enforcement group serving Milwaukee County with funding for 3 assistant district attorneys to prosecute criminal violations of chapter 961 of the statutes.

(3c) REIMBURSEMENT TO MILWAUKEE COUNTY FOR COMPUTER PURCHASE. From the appropriation under section 20.475 (1) (f) of the statutes, as created by this act, the department of administration shall reimburse Milwaukee County $12,000 in fiscal year 1999–2000 for the cost of purchasing computers to be used by prosecutors in the district attorney's office handling cases involving the unlawful possession or use of firearms and by the clerks providing clerical services to those prosecutors.

(3x) REGULATION OF MOBILE HOME PARKS, MOBILE HOME DEALERS AND MOBILE HOME SALESPERSONS.

(a) *Employe transfers.* There are transferred from the department of administration to the department of commerce 3.0 FTE incumbent employes holding positions in the division of housing in the department of administration performing duties that are primarily related to regulating mobile home parks, mobile home dealers and mobile home salespersons.

(b) *Employe status.* Employes transferred under paragraph (a) have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of commerce that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4)

of the statutes, no employ so transferred who has attained permanent status in class is required to serve a probationary period.

(c) *Rules and orders.* All rules promulgated by the department of administration primarily related to mobile home parks, mobile home dealers and mobile home salespersons that are in effect on the effective date of this paragraph shall become rules of the department of commerce and shall remain in effect until their specified expiration dates or until amended or repealed by the department of commerce. All orders issued by the department of administration primarily related to mobile home parks, mobile home dealers and mobile home salespersons that are in effect on the effective date of this paragraph shall become orders of the department of commerce and shall remain in effect until their specified expiration dates or until modified or rescinded by the department of commerce.

(d) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department administration primarily related to the regulation of mobile home parks, mobile home dealers and mobile home salespersons, as determined by the secretary of administration, shall become the assets and liabilities of the department of commerce.

(e) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of administration that is primarily related to the regulation of mobile home parks, mobile home dealers and mobile home salespersons, as determined by the secretary of administration, is transferred to the department of commerce.

(f) *Contracts.* All contracts entered into by the department of administration in effect on the effective date of this paragraph that are primarily related to the regulation of mobile home parks, mobile home dealers and mobile home

salespersons, as determined by the secretary of administration, remain in effect and are transferred to the department of commerce. The department of commerce shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of commerce to the extent allowed under the contract.

(g) *Pending matters.* Any matter pending with the department of administration on the effective date of this paragraph that is primarily related to the regulation of mobile home parks, mobile home dealers and mobile home salespersons, as determined by the secretary of administration, is transferred to the department of commerce and all materials submitted to or actions taken by the department of administration with respect to the pending matter are considered as having been submitted to or taken by the department of commerce.

(4) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON COMMITMENT CASES.

(a) In any case in which the district attorney files a sexually violent person petition under section 980.02 (1) (b) of the statutes on or after the effective date of this paragraph but before July 1, 2001, the district attorney shall maintain a record of the amount of time spent by the district attorney and by any deputy district attorneys or assistant district attorneys doing all of the following:

1. Prosecuting the petition through trial under section 980.05 of the statutes and, if applicable, commitment of the person subject to the petition under section 980.06 of the statutes, as affected by this act.

2. If applicable, representing the state on petitions brought by the person who is the subject of the petition for supervised release under section 980.08 of the statutes, as affected by this act, or for discharge under section 980.09 or 980.10 of the statutes.

(b) Annually, on a date specified by the department of administration, the district attorney shall submit to the department of administration a report summarizing the records under paragraph (a) covering the preceding 12–month period. The department of administration shall maintain the information submitted under this paragraph by district attorneys.

(5) PURCHASE, REPLACEMENT AND MAINTENANCE OF STATE CRIME LABORATORY EQUIPMENT. The secretary of administration shall allocate $254,700 in fiscal year 1999–2000 and $254,700 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of justice with funding for the purchase, replacement and maintenance of state crime laboratory equipment.

(5g) WAUSAU CRIME LABORATORY EXPANSION. The department of administration shall study the feasibility of expanding the state crime laboratory in the city of Wausau and shall develop a plan for providing space for the deoxyribonucleic acid and serology unit that is proposed to be located at the laboratory. No later than December 31, 1999, the department shall submit a report to the legislature presenting the results of the study and the plan it has developed. The report shall be submitted to the legislature in the manner provided in section 13.172 (2) of the statutes.

(6) PURCHASE OF EQUIPMENT OF DEOXYRIBONUCLEIC ACID ANALYSIS. In fiscal year 1999–2000, the secretary of administration shall allocate $226,800 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of justice with funding for the purchase of equipment for analyzing deoxyribonucleic acid using the short tandem repeat method.

(7) CONVERSION OF DEOXYRIBONUCLEIC ACID DATA BANK. In fiscal year 1999–2000, the secretary of administration shall allocate $450,000 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of justice with funding for converting the deoxyribonucleic acid data bank under section 165.77 (3) of the statutes to make it compatible with the short tandem repeat method of deoxyribonucleic acid analysis.

(7f) REPORT ON GRANTS SPECIALIST POSITION. The office of justice assistance in the department of administration shall prepare a report detailing the accomplishments of the project position in the office of justice assistance that is responsible for developing directories of federal and private funding resources, disseminating information to state and local government agencies on funding opportunities, assisting in the preparation of applications for funding or other proposals that may secure federal or private funds, and training state and local government agencies and nonprofit agencies in the process of seeking grants. The report shall include a list of federal and private grants received by state and local government agencies that are attributable to the position's efforts. The office of justice assistance shall, no later than January 1, 2001, submit the report to the legislature in the manner provided under section 13.172 (2) of the statutes.

(9) TRANSFER OF COLLEGE TUITION PREPAYMENT PROGRAM.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of administration primarily related to the administration of the college tuition prepayment program, as determined by the secretary of administration, shall become the assets and liabilities of the state treasurer.

(b) *Employe transfers.* All incumbent employes holding positions in the department of administration performing duties primarily related to the administration of the college tuition prepayment program, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the state treasurer.

(c) *Employe status.* Employes transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the state treasurer's office that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of administration that is primarily related to the administration of the college tuition prepayment program, as determined by the secretary of administration, is transferred to the state treasurer.

(e) *Contracts.* All contracts entered into by the department of administration that are in effect on the effective date of this paragraph and that are primarily related to the administration of the college tuition prepayment program, as determined by the secretary of administration, remain in effect and are transferred to the state treasurer. The state treasurer shall carry out any such contractual obligations until modified or rescinded by the state treasurer to the extent allowed under contract.

(f) *Rules and orders.* All rules promulgated by the department of administration that are in effect on the effective date of this paragraph and that are primarily related to the administration of the college tuition prepayment program,

as determined by the secretary of administration, remain in effect until their specified expiration date or until amended or repealed by the state treasurer. All orders issued by the department of administration that are in effect on the effective date of this paragraph and that are primarily related to the administration of the college tuition prepayment program, as determined by the secretary of administration, remain in effect until their specified expiration date or until modified or rescinded by the state treasurer.

(g) *Pending matters.* Any matters pending with the department of administration on the effective date of this paragraph that are primarily related to the administration of the college tuition prepayment program, as determined by the secretary of administration, are transferred to the state treasurer and all materials submitted to or actions taken by the department of administration with respect to the pending matters are considered as having been submitted or taken by the state treasurer.

(10g) OPERATIONS OF AND EQUIPMENT FOR AUTOMATED JUSTICE INFORMATION SYSTEMS. The secretary of administration shall allocate $729,800 in fiscal year 1999–2000 and $2,024,100 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to fund the general operations of the department of administration relating to automated justice information systems and equipment for automated justice information systems.

(12) DEPARTMENT OF CORRECTIONS ALCOHOL AND OTHER DRUG ABUSE PROGRAMS. The secretary of administration shall allocate $1,000,000 in fiscal year 1999–2000 and $1,000,000 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the

statutes to fund alcohol and other drug abuse programs in the department of corrections.

(13) DEPARTMENT OF CORRECTIONS INFORMATION TECHNOLOGY. The secretary of administration shall allocate $533,300 in fiscal year 1999–2000 and $1,200,000 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of corrections with funding for information technology.

(14) REIMBURSEMENT TO COUNTIES FOR CRIME VICTIM AND WITNESS SERVICES. The secretary of administration shall allocate $850,800 in fiscal year 1999–2000 and $850,800 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes to provide reimbursement to counties for providing services to victims and witnesses of crime.

(14yt) REPORT CONCERNING FEDERAL FUNDING FOR LEAKING UNDERGROUND STORAGE TANKS. The secretary of administration shall report to the joint committee on finance on how federal funds related to leaking underground storage tanks should be allocated between the department of commerce and the department of natural resources. The secretary shall submit the report for review and approval, modification or disapproval by the committee at its 4th quarterly meeting under section 13.10 of the statutes in 1999.

(17x) TRIBAL GAMING COMPUTER SYSTEM. The department of administration may not encumber or expend moneys appropriated to it under section 20.505 (8) (hm) of the statutes, as created in this act, for the purposes of a tribal gaming computer system to receive and process slot machine accounting data unless the department submits to the joint committee on finance a report on the costs associated with the

computer system. If the cochairpersons of the committee do not notify the secretary within 14 working days after the date of the department's submittal of the report that the committee has scheduled a meeting for the purpose of reviewing the report, the secretary of administration shall direct that the moneys may be encumbered or expended. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the report, the moneys may be encumbered or expended only upon approval of the report by the committee.

(18) DETERMINATION OF COSTS FOR PAY RATE OR RANGE ADJUSTMENTS FOR CERTAIN EMPLOYES OF THE DEPARTMENTS OF CORRECTIONS AND HEALTH AND FAMILY SERVICES. During the 1999–2001 fiscal biennium, the secretary of administration shall determine which costs of the departments of corrections and health and family services may be supplemented from the appropriation accounts under section 20.865 (1) (cb) and (ib) of the statutes, as created by this act.

(18ag) INFORMATION TECHNOLOGY SUPPORT. The department of administration shall cooperate with the ethics board with respect to information technology support and shall provide information technology support to the ethics board to effect implementation of the requirements imposed under sections 13.67 and 13.68 (1) (bn) of the statutes, as affected by this act.

(18d) FEDERAL RESOURCE ACQUISITION FINANCIAL PLAN. The department of administration shall transmit to the joint committee on finance a long–term financial plan for the operation by the department of the federal resource acquisition program under section 16.98 of the statutes.

(18h) STATE AGENCY VEHICLE FLEET MANAGEMENT CONSOLIDATIONS. The department of administration shall study the possible consolidation of the vehicle

fleet management functions of the departments of natural resources and transportation and the University of Wisconsin–Madison with the corresponding function of the department of administration or other changes in state agency vehicle fleet management that may be desirable. The study shall include an estimate of the potential savings to the state that may be effected from the consolidation. The department of administration shall submit a report containing the results of the study, together with its recommendations and any proposed legislation required to implement the recommendations, to the joint committee on finance.

(18i) STUDY OF NEW PRODUCTION BAKERY. The department of administration shall conduct a study of the desirability of constructing a new production bakery for the department of corrections to produce breads and other baked products for institutions in southeastern Wisconsin. The study shall address the specific size of the proposed facility; the potential customers of the proposed facility, including governmental entities other than the state; and the operational details of the proposed facility, including the method of funding and staffing of the proposed facility, the projected revenues and expenditures of the proposed facility and any offsetting reductions in costs of the departments of corrections, health and family services, public instruction and veterans affairs that may be realized as a result of construction and operation of the proposed facility.

(18m) ADMINISTRATION OF MEDICAL ASSISTANCE. By the date specified by the cochairpersons of the joint committee on finance for submission of requests for consideration at the last quarterly meeting of the committee in calendar year 1999, the secretary of administration shall submit a report to the joint committee on finance that specifies the position and funding modifications needed to transfer all administrative functions related to medical assistance, including administration of

the client assistance for reemployment and economic support system, either in whole, or, if possible, only with respect to medical assistance, from the department of workforce development to the department of health and family services. The secretary shall also identify in the report any administrative issues that the committee should consider with respect to the transfer.

(18v) DEPARTMENT OF REVENUE BUILDING CONSTRUCTION REQUIREMENTS. The department of administration shall, to the extent practicable, ensure that the department of revenue building enumerated under SECTION 9107 (1) (a) of this act is constructed in a manner that is consistent with the requirements imposed under section 20.924 (1) (j) 2. and 3. of the statutes, as created by this act.

(18w) REPORT ON USE OF MULTISTATE ELECTRONIC PROCUREMENT SYSTEMS. Prior to December 31, 1999, the department of administration shall submit a report to the joint committee on finance concerning the operation of multistate electronic procurement systems. The report shall include information concerning the current status of multistate electronic procurement systems available for potential use by this state, the estimated costs and benefits of use of such a system by this state and the changes in current law and funding that would be required for participation by this state in such a system.

(18zo) SMART GROWTH DIVIDEND AID PROGRAM.

(a) Notwithstanding section 16.42 (1) of the statutes, the secretary of administration shall propose under section 16.42 of the statutes, jointly with the secretary of revenue, a smart growth dividend aid program in his or her budget request for fiscal biennium 2001–03, with the first grants to be distributed in fiscal year 2005–06. The proposal shall prescribe a method of distributing aid to cities, villages, towns and counties that meet all of the following requirements:

1. To be eligible to receive aid, a city, village, town or county must have in effect a comprehensive plan, as defined in section 66.0295 (1) (a) of the statutes, as created by this act, that the department of administration and the land council determine meets the provisions specified in section 16.965 (4) of the statutes, as created by this act, and the city, village, town or county must have taken steps to implement the plan.

2. The population density within the city, village, town or county boundaries must have increased.

(b) The proposal shall include a provision requiring the land council to approve or disapprove grant applications within 60 days of submission.

(19f) CALCULATION OF FEDERAL INTEREST REIMBURSEMENTS. No later than the first day of the 2nd month beginning after the effective date of this subsection, the secretary of administration shall calculate the amount of moneys received by the state as interest reimbursements from the federal government less the amounts paid by the state to the federal government as interest reimbursements before the effective date of this subsection.

(19t) REPORT ON FOOD SERVICE CENTER PROJECT. The department of administration shall, by March 31, 2000, submit a report concerning the status of the centralized advanced food production system construction project at the Southern Wisconsin Center for the Developmentally Disabled, as authorized under SECTION 9107 (1) (j) of this act, to the joint committee on finance and the building commission. In its report, the department shall address the status of the renovation project and proposed plans for the eventual transfer of assets and operational responsibilities for the food service activity at that food service center from the department of health and family services to the department of veterans affairs.

**SECTION 9102. Nonstatutory provisions; adolescent pregnancy prevention and pregnancy services board.**

**SECTION 9103. Nonstatutory provisions; aging and long–term care board.**

**SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.**

(1w) PESTICIDE SALES AND USE REPORTING SYSTEM.

(a) *Report on confidentiality provisions.* No later than January 1, 2001, the department of agriculture, trade and consumer protection shall submit a report to the appropriate standing committees of the legislature, in the manner provided under section 13.172 (3) of the statutes, on the necessity of continuing, revising or eliminating the provisions concerning confidentiality of agricultural pesticide use under section 94.695 (8) of the statutes, as created by this act. The department shall consult with the entities under section 94.695 (3) of the statutes, as created by this act, in preparing the report under this paragraph.

(b) *Budget request.* Notwithstanding section 16.42 (1) of the statutes, in submitting the request under section 16.42 of the statutes for the 2001–03 biennial budget bill, the department of agriculture, trade and consumer protection shall include funding for the full, ongoing operation of the pesticide sales and use reporting system under section 94.695 of the statutes, as created by this act.

(c) *Integration with statewide geographic systems.* The department of agriculture, trade and consumer protection shall consult with the Wisconsin land council and the land information board to ensure that, no later than January 1, 2003, the pesticide sales and use reporting system under section 94.695 of the statutes, as created by this act, is integrated with statewide geographic information systems.

**SECTION 9105. Nonstatutory provisions; arts board.**

(1c) GRANT TO PERFORMING ARTS FOUNDATION. From the appropriation under section 20.215 (1) (b) of the statutes, the arts board shall award a grant of $50,000 in the 1999–2000 fiscal year to a nonprofit performing arts foundation located in a county with a population of less than 130,000 for use in improving handicapped accessibility in the foundation's facility if the foundation provides at least $150,000 in matching funds.

**SECTION 9106. Nonstatutory provisions; boundary area commission, Minnesota–Wisconsin.**

**SECTION 9107. Nonstatutory provisions; building commission.**

(1) 1999–2001 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years beginning on July 1, 1999, and ending on June 30, 2001, the authorized state building program is as follows:

(a) DEPARTMENT OF ADMINISTRATION

1. *Projects financed by program revenue supported borrowing:*

| | |
|---|---|
| Department of revenue building purchase — Madison | $ 30,100,000 |
| State office building addition — Waukesha | 7,100,000 |
| (Total project all funding sources $11,900,000) | |

2. *Projects financed by existing program revenue supported borrowing:*

| | |
|---|---|
| State office building addition — Waukesha | 4,800,000 |
| (Total project all funding sources $11,900,000) | |

3. *Agency totals:*

| | |
|---|---|
| Program revenue supported borrowing | 37,200,000 |
| Existing program revenue supported borrowing | 4,800,000 |
| Total — All sources of funds | $ 42,000,000 |

(b) DEPARTMENT OF CORRECTIONS

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| Work houses — 2 sites | $ 5,120,000 |
| Milwaukee prerelease center purchase | 5,030,000 |
| Milwaukee probation and parole holding and alcohol and other drug abuse treatment facility expansion | 19,950,000 |
| Taycheedah Correctional Institution segregation/housing unit | 8,080,000 |
| (Total project all funding sources $10,780,000) | |
| Correctional facilities expansion | 58,000,000 |
| (Total project all funding sources $63,000,000) | |
| Highview building conversion — Chippewa Falls | 7,294,000 |
| Southern Oaks Girls School multipurpose building | 1,429,400 |
| Oshkosh Correctional Institution segregation unit addition | 4,189,500 |
| Oakhill Correctional Institution — Cottages 1 to 10 and 12 mechanical systems renovation | 2,223,200 |

| | |
|---|---|
| Oakhill Correctional Institution — Cottages 1 and 12 remodeling | 1,330,200 |
| Waupun Correctional Institution — former health sciences unit remodeling | 7,604,900 |

2. *Projects financed by federal funds:*

| | |
|---|---|
| Taycheedah Correctional Institution segregation/housing unit | 2,700,000 |
| (Total project all funding sources $10,780,000) | |
| Correctional facilities expansion | 5,000,000 |
| (Total project all funding sources $63,000,000) | |

3. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 120,251,200 |
| Federal funds | 7,700,000 |
| Total — All sources of funds | $127,951,200 |

(c) EDUCATIONAL COMMUNICATIONS BOARD

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| Digital television tower — Wausau | $ 304,000 |
| (Total project all funding sources $465,000) | |
| Digital television conversion | 9,409,700 |
| (Total project all funding sources $11,886,100) | |

2. *Projects financed by existing general fund supported borrowing:*

| | |
|---|---|
| Digital television tower — Wausau | 161,000 |
| (Total project all funding sources $465,000) | |
| 3. *Projects financed by gifts, grants and other receipts:* | |
| Digital television conversion | 1,106,400 |
| (Total project all funding sources $11,886,100) | |
| 4. *Projects financed by federal funds:* | |
| Digital television conversion | 1,350,000 |
| (Total project all funding sources $11,886,100) | |
| 5. *Agency totals:* | |
| General fund supported borrowing | 9,713,700 |
| Existing general fund supported borrowing | 161,000 |
| Gifts, grants and other receipts | 1,106,400 |
| Federal funds | 1,350,000 |
| Total — All sources of funds | $ 12,331,100 |

(d) DEPARTMENT OF HEALTH AND FAMILY SERVICES

| | |
|---|---|
| 1. *Projects financed by general fund supported borrowing:* | |
| Secure treatment center — Mauston | $ 8,890,000 |
| (Total project all funding sources $38,890,000) | |
| Central Wisconsin Center for the Developmentally Disabled — building one remodeling | 710,200 |
| 2. *Projects financed by existing general fund supported borrowing:* | |

| | |
|---|---|
| Secure treatment center — Mauston | 30,000,000 |
| (Total project all funding sources $38,890,000) | |
| Mendota juvenile treatment center addition | 1,560,000 |

3. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 9,600,200 |
| Existing general fund supported borrowing | 31,560,000 |
| Total — All sources of funds | $ 41,160,200 |

(e) DEPARTMENT OF MILITARY AFFAIRS

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| Organizational maintenance shop remodeling — Milwaukee | $ 125,000 |
| (Total project all funding sources $500,000) | |
| Organizational maintenance shop — Oshkosh | 207,900 |
| (Total project all funding sources $2,913,900) | |
| General Mitchell International Airport — land purchase | 532,500 |

2. *Projects financed by federal funds:*

| | |
|---|---|
| Organizational maintenance shop remodeling — Milwaukee | 375,000 |
| (Total project all funding sources $500,000) | |
| Organizational maintenance shop — Oshkosh | 2,706,000 |
| (Total project all funding sources $2,913,900) | |

3. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 865,400 |
| Federal funds | 3,081,000 |
| Total — All sources of funds | $ 3,946,400 |

(f) DEPARTMENT OF NATURAL RESOURCES

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| Northern region headquarters — Rhinelander | $ 1,584,000 |
| (Total project all funding sources $3,600,000) | |
| South central region headquarters — Fitchburg | 1,353,500 |
| (Total project all funding sources $3,140,000) | |

2. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*

| | |
|---|---|
| Nature and conference center — Lapham Peak unit — Kettle Moraine State Forest | 690,000 |
| Old Abe Trail — bridge replacement | 140,700 |
| (Total project all funding sources $703,500) | |

4. *Projects financed by segregated fund supported borrowing:*

| | |
|---|---|
| Northern region headquarters — Rhinelander | 2,016,000 |
| (Total project all funding sources $3,600,000) | |
| Central system office furniture | 2,060,000 |
| South central region headquarters — Fitchburg | 1,786,500 |

(Total project all funding sources $3,140,000)

5. *Projects financed by segregated funds:*

| | |
|---|---|
| Ranger stations — Augusta and Webster | 1,315,300 |

6. *Projects financed by federal funds:*

| | |
|---|---|
| Old Abe Trail — bridge replacement | 562,800 |

(Total project all funding sources $703,500)

7. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 2,937,500 |
| Existing general fund supported borrowing authority — stewardship | 830,700 |
| Segregated fund supported borrowing | 5,862,500 |
| Segregated funds | 1,315,300 |
| Federal funds | 562,800 |
| Total — All sources of funds | $ 11,508,800 |

(g) STATE FAIR PARK BOARD

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| Infrastructure improvements | $ 887,100 |

(Total project all funding sources $1,774,200)

| | |
|---|---|
| Land acquisition/site development | 1,000,000 |

(Total project all funding sources $2,000,000)

2. *Projects financed by program revenue supported borrowing:*

| | |
|---|---|
| Infrastructure improvements | 887,100 |
| (Total project all funding sources $1,774,200) | |
| Racetrack seating | 14,500,000 |
| Racetrack improvements | 550,000 |
| Land acquisition/site development | 1,000,000 |
| (Total project all funding sources $2,000,000) | |

3. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 1,887,100 |
| Program revenue supported borrowing | 16,937,100 |
| Total — All sources of funds | $ 18,824,200 |

(h) DEPARTMENT OF TRANSPORTATION

1. *Projects financed by segregated fund supported revenue borrowing:*

| | |
|---|---|
| District headquarters renovation — Superior | $ 867,200 |
| District headquarters renovation — Rhinelander | 1,790,000 |
| District headquarters renovation — Green Bay | 678,000 |
| Statewide tower upgrades | 4,239,000 |

2. *Agency totals:*

| | |
|---|---|
| Segregated fund supported revenue borrowing | 7,574,200 |
| Total — All sources of funds | $ 7,574,200 |

(i) UNIVERSITY OF WISCONSIN SYSTEM

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| Eau Claire — Phillips Science Hall renovation | $ 11,496,500 |
| La Crosse — Wing Technology Center remodeling | 9,887,000 |
| Madison — Infrastructure distribution systems | 7,000,000 |
| Milwaukee — Lapham Hall south wing renovation | 10,950,000 |
| Platteville — Student center technology wing | 3,735,000 |
| River Falls — Dairy science teaching facility | 2,931,000 |
| (Total project all funding sources $3,431,000) | |
| Stout — Jarvis Science Hall wing renovation | 4,200,000 |
| Whitewater — Williams Center fieldhouse | 9,450,000 |
| (Total project all funding sources $13,500,000) | |
| System — Classroom renovation and instructional technology improvements | 9,000,000 |
| — Digital television conversion | 2,800,000 |
| (Total project all funding sources $3,080,000) | |

2. *Projects funded by existing general fund supported borrowing authority:*

| | |
|---|---|
| Green Bay — Academic building | 15,000,000 |
| (Total project all funding sources $17,000,000) | |
| Oshkosh — Halsey Science Center renovation | 13,885,000 |
| Whitewater — Williams Center fieldhouse | 2,025,000 |
| (Total project all funding sources $13,500,000) | |

3. *Projects financed by program revenue supported borrowing:*

| | |
|---|---|
| Extension — Lowell Hall parking structure | 986,800 |
| Madison — Intercollegiate athletics pool | 7,500,000 |
| (Total project all funding sources $11,500,000) | |
| — Operations facility | 1,875,000 |
| — Southeast recreational facility addition | 6,106,000 |
| — Veterinary medical teaching hospital | 1,500,000 |
| (Total project all funding sources $3,200,000) | |
| Oshkosh — Reeve Union and Blackhawk Commons | 18,600,000 |
| River Falls — Residence hall | 8,965,000 |
| Stout — Recreation complex | 3,000,000 |
| (Total project all funding sources $7,000,000) | |
| Whitewater — Williams Center fieldhouse | 2,025,000 |
| (Total project all funding sources $13,500,000) | |
| — West campus development | 4,180,000 |
| System — Aquaculture demonstration facility — Ashland area | 3,000,000 |

4. *Projects financed by program revenue:*

| | |
|---|---|
| Madison — University Ridge clubhouse | 1,751,000 |
| — Veterinary medical teaching hospital | 1,700,000 |
| (Total project all funding sources $3,200,000) | |

5. *Projects financed by gifts, grants and other receipts:*

| | |
|---|---|
| Green Bay — Academic building | 2,000,000 |
| (Total project all funding sources $17,000,000) | |
| Madison — McKay Center addition | 3,000,000 |
| — Intercollegiate athletics pool | 4,000,000 |
| (Total project all funding sources $11,500,000) | |
| — Murray Mall development | 7,111,000 |
| Milwaukee — School of arts facility | 7,500,000 |
| River Falls — Dairy science teaching facility | 500,000 |
| (Total project all funding sources $3,431,000) | |
| Stout — Recreation complex | 4,000,000 |
| (Total project all funding sources $7,000,000) | |
| System — Aquatic science and technology education center | 1,800,000 |
| — Center for aquatic culture technology | 1,200,000 |
| — Digital television conversion | 280,000 |
| (Total project all funding sources $3,080,000) | |

6. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 71,449,500 |
| Existing general fund supported borrowing authority | 30,910,000 |
| Program revenue supported borrowing | 57,737,800 |
| Program revenue | 3,451,000 |

| | |
|---|---|
| Gifts, grants and other receipts | 31,391,000 |
| Total — All sources of funds | $ 194,939,300 |

(j) DEPARTMENT OF VETERANS AFFAIRS

1. *Projects financed by program revenue supported borrowing:*

| | |
|---|---|
| Southern Wisconsin veterans retirement center | $ 7,686,100 |
| (Total project all funding sources $23,110,300) | |
| Food service center renovation — Southern Wisconsin Center for the Developmentally Disabled | 6,223,000 |

2. *Projects financed by existing program revenue supported borrowing:*

| | |
|---|---|
| Southern Wisconsin veterans retirement center | 402,500 |
| (Total project all funding sources $23,110,300) | |

3. *Projects financed by federal funds:*

| | |
|---|---|
| Southern Wisconsin veterans retirement center | 15,021,700 |
| (Total project all funding sources $23,110,300) | |
| Southern Wisconsin Veterans Memorial Cemetery | 1,540,000 |
| Wisconsin Veterans Memorial Cemetery expansion — King | 2,312,000 |

4. *Agency totals:*

| | |
|---|---|
| Program revenue supported borrowing | 13,909,100 |
| Existing program revenue supported borrowing | 402,500 |

| | |
|---|---|
| Federal funds | 18,873,700 |
| Total — All sources of funds | $ 33,185,300 |

(k) MARQUETTE UNIVERSITY

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| School of dentistry | $ 15,000,000 |
| (Total project all funding sources $30,000,000) | |

2. *Projects financed by gifts, grants and other receipts:*

| | |
|---|---|
| School of dentistry | 15,000,000 |
| (Total project all funding sources $30,000,000) | |

3. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 15,000,000 |
| Gifts, grants and other receipts | 15,000,000 |
| Total — All sources of funds | $ 30,000,000 |

(L) MILWAUKEE AREA TECHNICAL COLLEGE

1. *Projects funded by general fund supported borrowing:*

| | |
|---|---|
| Digital television conversion | $ 3,500,000 |
| (Total project all funding sources $3,850,000) | |

2. *Projects funded by gifts, grants and other receipts:*

| | |
|---|---|
| Digital television conversion | 350,000 |
| (Total project all funding sources $3,850,000) | |

3. *Agency totals:*

| | |
|---|---|
| General fund supported borrowing | 3,500,000 |

| | |
|---|---|
| Gifts, grants and other receipts | 350,000 |
| Total — All sources of funds | $ 3,850,000 |

(m) ALL AGENCY PROJECT FUNDING

1. *Projects financed by general fund supported borrowing:*

| | |
|---|---|
| WisBuild initiative | $ 64,923,000 |
| (Total program all funding sources $108,178,600) | |
| Utilities repair and renovation | 41,713,500 |
| (Total program all funding sources $59,124,900) | |
| Health, safety and environmental protection | 25,667,000 |
| (Total program all funding sources $27,747,000) | |
| Preventive maintenance program | 5,000,000 |
| Capital equipment acquisition | 7,100,000 |
| (Total program all funding sources $12,500,000) | |

2. *Projects funded by existing general fund supported borrowing authority:*

| | |
|---|---|
| Utilities repair and renovation | 3,000,000 |
| (Total project all funding sources $59,124,900) | |

3. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*

| | |
|---|---|
| WisBuild initiative | 4,515,400 |
| (Total program all funding sources $108,178,600) | |
| Utilities repair and renovation | 3,843,400 |

(Total program all funding sources $59,124,900)

Health, safety and environmental protection 250,000

(Total program all funding sources $27,747,000)

4. *Projects financed by program revenue supported borrowing:*

WisBuild initiative 33,780,000

(Total program all funding sources $108,178,600)

Utilities repair and renovation 4,699,000

(Total program all funding sources $59,124,900)

Health, safety and environmental protection 695,000

(Total program all funding sources $27,747,000)

Capital equipment acquisition 5,400,000

(Total program all funding sources $12,500,000)

Land and property acquisition 4,600,000

5. *Projects financed by program revenue:*

Utilities repair and renovation 3,000,000

(Total program all funding sources $59,124,900)

6. *Projects financed by segregated fund supported borrowing:*

WisBuild initiative 1,673,400

(Total program all funding sources $108,178,600)

7. *Projects financed by segregated fund supported revenue borrowing:*

| | |
|---|---|
| WisBuild initiative | 1,726,600 |
| (Total program all funding sources $108,178,600) | |
| Utilities repair and renovation | 847,300 |
| (Total program all funding sources $59,124,900) | |

8. *Projects financed by moneys appropriated to state agencies from any revenue source:*

| | |
|---|---|
| WisBuild initiative | 1,254,400 |
| (Total program all funding sources $108,178,600) | |
| Utilities repair and renovation | 1,205,400 |
| (Total program all funding sources $59,124,900) | |

9. *Projects financed by federal funds:*

| | |
|---|---|
| WisBuild initiative | 305,800 |
| (Total program all funding sources $108,178,600) | |
| Utilities repair and renovation | 816,300 |
| (Total program all funding sources $59,124,900) | |
| Health, safety and environmental protection | 1,135,000 |
| (Total program all funding sources $27,747,000) | |

10. *All agency totals:*

| | |
|---|---|
| General fund supported borrowing | 144,403,500 |
| Existing general fund supported borrowing authority | 3,000,000 |

| | |
|---|---|
| Existing general fund supported borrowing — stewardship funds | 8,608,800 |
| Program revenue supported borrowing | 49,174,000 |
| Program revenue | 3,000,000 |
| Segregated fund supported borrowing | 1,673,400 |
| Segregated fund supported revenue borrowing | 2,573,900 |
| Moneys appropriated to state agencies from any revenue source | 2,459,800 |
| Federal funds | 2,257,100 |
| Total — All sources of funds | $217,150,500 |

(n) SUMMARY

| | |
|---|---|
| Total general fund supported borrowing | $379,608,100 |
| Total existing general fund supported borrowing authority | 65,631,000 |
| Total existing general fund supported borrowing authority — stewardship funds | 9,439,500 |
| Total program revenue supported borrowing | 174,958,000 |
| Total existing program revenue supported borrowing | 5,202,500 |
| Total segregated fund supported borrowing | 7,535,900 |
| Total segregated fund supported revenue borrowing | 10,148,100 |
| Total segregated funds | 1,315,300 |
| Total program revenue | 6,451,000 |

| | |
|---|---|
| Total gifts, grants and other receipts | 47,847,400 |
| Total moneys appropriated to state agencies from any revenue source | 2,459,800 |
| Total federal funds | 33,824,600 |
| Total — All sources of funds | $744,421,200 |

(2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated under the previous authorized state building programs is continued in the 1999–2001 fiscal biennium.

(3) LOANS. During the 1999–2001 fiscal biennium, the building commission may make loans from general fund supported borrowing or the building trust fund to state agencies, as defined in section 20.001 (1) of the statutes, for projects which are to be utilized for programs not funded by general purpose revenue and which are authorized under subsection (1).

(4) PROJECT CONTINGENCY FUNDING RESERVE. During the 1999–2001 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (yg) of the statutes, as affected by this act, for contingency expenses in connection with any project in the authorized state building program.

(5) CAPITAL EQUIPMENT FUNDING ALLOCATION.

(a) During the 1999–2001 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as affected by this act, for capital equipment acquisition in connection with any project in the authorized state building program.

(b) During the 1999–2001 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as affected by this act, to acquire other priority capital equipment for state agencies, as defined in section 20.001 (1) of the statutes.

(6) MARQUETTE UNIVERSITY SCHOOL OF DENTISTRY. Notwithstanding section 13.48 (32) of the statutes, as created by this act, the building commission shall not make a grant to Marquette University for the dental school project enumerated in subsection (1) (k) under section 13.48 (32) of the statutes, as created by this act, unless the department of administration has reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(7) HIGHVIEW BUILDING VACATION AND CONVERSION. The building commission shall, during the 1999–2001 fiscal biennium, coordinate the construction project related to vacation of the Highview building by the Northern Wisconsin Center for the Developmentally Disabled and conversion of the building to a medium security correctional institution under subsection (1) (b) 1. and related projects. Jurisdiction over the building and adjacent land is vested in the commission for the purpose of effecting the transfer. At such time as is appropriate, the commission shall transfer the building and adjacent land to the department of corrections under section 13.48 (14) of the statutes.

(7tu) STATE FAIR PARK RACETRACK SEATING PROJECT. Notwithstanding section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted for the racetrack seating project identified in

subsection (1) (g) 2. unless the state fair park board first notifies the commission, in writing, that it has approved the design of the project.

(7tv) STATE FAIR PARK RACETRACK IMPROVEMENTS. Notwithstanding section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted for the racetrack improvements project identified in subsection (1) (g) 2. unless the commission is notified by the cochairpersons of the joint committee on finance that the committee has approved the plan for noise abatement at the racetrack submitted under SECTION 9145 (1tv) of this act.

(7x) AQUACULTURE DEMONSTRATION FACILITY. Notwithstanding section 18.04 (1) of the statutes and section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted for the purpose of financing construction of the aquaculture demonstration facility enumerated under subsection (1) (i) 3. unless the joint committee on finance has first approved the report required to be submitted to the committee by the board of regents of the University of Wisconsin System under SECTION 9154 (3x) of this act.

(8m) WAUSAU STATE OFFICE FACILITY STUDY. The building commission shall conduct a study of the feasibility of constructing a state office facility in the Wausau area to consolidate state employe staff. The building commission shall report the results of the study, together with its findings and recommendations, to the legislature in the manner provided in section 13.172 (2) of the statutes no later than July 1, 2000.

**SECTION 9108. Nonstatutory provisions; child abuse and neglect prevention board.**

**SECTION 9109. Nonstatutory provisions; circuit courts.**

**SECTION 9110. Nonstatutory provisions; commerce.**

(1) GRANTS TO BROWN COUNTY. From the appropriation under section 20.143 (1) (kj) of the statutes, as created by this act, the department of commerce shall make grants to Brown County of $500,000 in fiscal year 1999–2000 and $1,000,000 in fiscal year 2000–01 for economic development.

(3g) BUILDING PERMITS FOR CONSTRUCTION OF CERTAIN ONE– AND 2–FAMILY DWELLINGS. Notwithstanding section 101.651 (2m) of the statutes, as created by this act, a person is not required to obtain a building permit for construction that begins before the effective date of this subsection if, at the time that the construction begins, the municipality where the construction is located is exempt under section 101.651 (2), 1997 stats., the municipality has not enacted an ordinance requiring a building permit for the construction, the municipality does not jointly exercise jurisdiction with a political subdivision that requires a building permit for the construction and the municipality has not requested a county or the department of commerce to provide building permit services under section 101.651 (3) of the statutes.

(3yt) FINANCIAL MANAGEMENT OF PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. No later than the first day of the 6th month beginning after the effective date of this subsection, the department of commerce shall do all of the following:

(a) Update its financial data base for the program under section 101.143 of the statutes to ensure that complete cost information related to each occurrence and to the annual payment to each owner or operator is readily available.

(b) Investigate any variances between the amount of total payments indicated by the department's financial data base for the program under section 101.143 of the statutes and the amount of total payments indicated by the accounts maintained by the department of administration under section 16.52 of the statutes to identify when the variances occurred and the reasons for the variances.

(c) Make any changes in the department's financial data base needed to ensure that the data base is consistent with the accounts maintained by the department of administration under section 16.52 of the statutes.

(3yu) RULE MAKING FOR PETROLEUM STORAGE REMEDIAL ACTION PROGRAM.

(a) The department of commerce and the department of natural resources shall submit in proposed form the rules required under section 101.143 (2) (h), (i) and (j) and (2e) of the statutes, as created by this act, to the legislature under section 227.19 of the statutes no later than June 1, 2000.

(b) Using the procedure under section 227.24 of the statutes, the department of commerce and the department of natural resources shall promulgate the rules required under section 101.143 (2) (h), (i) and (j) and (2e) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until September 1, 2000, or the date on which rules under paragraph (a) take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the departments are not required to provide evidence that promulgating rules under this paragraph is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for rules promulgated under this paragraph. The departments shall promulgate rules under this paragraph no later than the 30th day after the effective date of this paragraph.

(c) Using the procedure under section 227.24 of the statutes, the department of commerce shall promulgate rules to implement section 101.143 (4) (cm) 1. of the statutes, as affected by this act, for the period before the effective date of permanent rules, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes,

the department is not required to provide evidence that promulgating rules under this paragraph is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for rules promulgated under this paragraph. The department shall promulgate rules under this paragraph no later than November 1, 1999.

(d) The department of commerce shall submit in proposed form any rules under section 101.143 (2) (h) of the statutes, as created by this act, to the legislature under section 227.19 of the statutes no later than June 1, 2000.

(e) If the conditions under section 101.144 (3g) (a) of the statutes, as created by this act, apply on December 1, 1999, using the procedure under section 227.24 of the statutes, the department of commerce shall promulgate the rules required under section 101.144 (3g) (a) of the statutes, as created by this act, for the period before the effective date of permanent rules, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide a finding of emergency for rules promulgated under this paragraph. The department shall promulgate rules under this paragraph no later than December 31, 1999.

(3yv) TRANSFER OF SITES. The department of natural resources and the department of commerce shall identify sites the classification of which is changed because of the changes made by this act in section 101.144 of the statutes and shall transfer authority over those sites no later than December 1, 1999.

(3yw) REPORT CONCERNING INTEREST COSTS. No later than March 1, 2000, the department of commerce shall submit a report to the joint committee on finance and the joint committee for review of administrative rules containing recommendations for actions that the department could take to reduce interest costs incurred by

claimants under the program under section 101.143 of the statutes, including a review of schedules for making progress payments to claimants.

(3yx) EVALUATION OF USUAL AND CUSTOMARY COST SCHEDULE. The department of commerce shall evaluate the operation of section 101.143 (4) (cm) 1. of the statutes, as affected by this act, and shall report the results of the evaluation to the joint legislative audit committee, to the joint committee on finance and to the appropriate standing committees of the legislature, in the manner provided in section 13.172 (3) of the statutes, no later than the first day of the 14th month beginning after the effective date of this subsection.

(4) LOAN FOR PEDESTRIAN BRIDGE PROJECT.

(a) The department of commerce may make a loan of not more than $600,000 from the appropriations under section 20.143 (1) (c) and (ie) of the statutes, as affected by this act, to a person for a project that includes a pedestrian bridge, if all of the following apply:

1. The person submits a plan to the department of commerce detailing the proposed use of the loan and the secretary of commerce approves the plan.

2. The person enters into a written agreement with the department of commerce that specifies the loan terms and the conditions for use of the loan proceeds, including reporting and auditing requirements.

3. The person agrees in writing to submit to the department of commerce, within 6 months after spending the full amount of the loan, a report detailing how the loan proceeds were used.

(b) The department of commerce shall deposit in the appropriation account under section 20.143 (1) (ie) of the statutes, as affected by this act, any moneys received in repayment of the loan.

(c) The department of commerce may not pay loan proceeds under this subsection after June 30, 2000.

(5) GRANT FOR MANUFACTURING TECHNOLOGY TRAINING CENTER.

(a) In this subsection:

1. "Consortium" means an association of business, governmental and educational entities.

2. "Department" means the department of commerce.

3. "Secretary" means the secretary of commerce.

(b) Subject to paragraph (d), the department may make a grant of not more than $1,000,000 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to a consortium for a manufacturing technology training center if all of the following apply:

1. The consortium is located in the Racine–Kenosha area.

2. The consortium submits a plan to the department detailing the proposed use of the grant and the secretary approves the plan.

3. The consortium enters into a written agreement with the department that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.

4. The consortium agrees in writing to submit to the department the report required under paragraph (c) by the time required under paragraph (c).

(c) If a consortium receives a grant under this subsection, it shall submit to the department, within 6 months after spending the full amount of the grant, a report detailing how the grant proceeds were used.

(d) 1. The department may not pay grant proceeds under this subsection after June 30, 2001.

2. The department may not disburse more than $500,000 in grant proceeds under this subsection in either fiscal year 1999–2000 or fiscal year 2000–01.

(6c) GRANT RELATED TO WELL REPLACEMENT. From the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the department of commerce shall make a grant of $299,800 in fiscal year 1999–2000 to a city that was required to replace its city well because of federal highway construction.

(6e) GRANT FOR PEDESTRIAN ENHANCEMENTS. In fiscal year 1999–2000, the department of commerce may make a grant, not exceeding $100,000, from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to the city of Menasha for pedestrian enhancements to its city square if the city of Menasha contributes funds for the project that at least equal the amount of the grant.

**SECTION 9111. Nonstatutory provisions; corrections.**

(2d) PROFITABILITY REQUIREMENT.

(a) In this subsection:

1. "Prison contract" has the meaning given in section 303.01 (11) (a) 2. of the statutes.

2. "Profitable" means earning a profit, as determined by the report described in paragraph (b), during at least three quarters of calendar year 2000.

(b) The department of corrections and the department of administration shall submit a report to the joint committee on finance for each quarter of calendar year 2000 providing the department of corrections' cash balance summary under each prison contract. Each report shall be prepared within 30 days after the end of the quarter. The report for the 4th quarter shall state whether the department's operations under at least two–thirds of its prison contracts were profitable during

calendar year 2000. If less than two–thirds of its prison contracts were profitable, the department of corrections shall terminate its program for contracting with private employers under section 303.01 (2) (em) of the statutes, as affected by this act.

(c) If the report under paragraph (b) states that less than two–thirds of prison contracts were profitable during calendar year 2000, the cochairpersons of the joint committee on finance shall certify that fact to the revisor of statutes no later than March 1, 2001. Upon the certification, the revisor of statutes shall publish notice in the Wisconsin Administrative Register of the report and that, as of March 1, 2001, the treatment of sections 20.410 (1) (gi), (hm) and (km), 108.07 (8) (b), 303.01 (8) (b), (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes and the repeal of section 303.01 (2) (em) and (11) of the statutes have taken effect.

(3z) REPORT ON OUT–OF–STATE INMATE TRANSFERS. The department of corrections shall submit a report to the joint committee on finance by July 1, 2000, regarding Wisconsin inmates transferred to and confined in other states under section 301.21 (1m) and (2m) of the statutes. The report shall address all of the following:

(a) The overall impact that transfers have on prison populations in Wisconsin and projections regarding future out–of–state transfers.

(b) The total cost of out–of–state transfers to the department, including the cost of incarceration and transportation.

(c) The types of inmates being transferred based on the crimes for which the inmates have been sentenced.

(d) Department policies regarding how inmates are selected for out–of–state transfers.

(e) The average length of an inmate's stay in an out–of–state prison.

(f) The specific services, programs and treatment provided to inmates in out–of–state prisons compared to inmates confined in Wisconsin prisons.

(g) Complaint procedures for inmates in out–of–state prisons, the number of complaints that have been received, the types of complaints that have been submitted and the ways in which the out–of–state prisons have addressed the complaints.

(h) The rate of recidivism for inmates who have been confined in out–of–state prisons compared to those remaining in Wisconsin for the entire sentence, classified by the crimes for which the inmates have been sentenced.

(i) The impact of transfers on inmates' families in Wisconsin, the information that inmates' families receive on the treatment of inmates and the ways in which the department has attempted to respond to concerns of the families.

(j) The steps taken by the department to implement alternatives to prison transfers, the number of persons involved in enhanced community supervision programs, the success of those programs and the feasibility of reducing prison transfers through increasing the use of some combination of community supervision programs.

(k) The effects that the elimination of parole and probation would have on the number of prisoners who will be sentenced to a term of imprisonment by Wisconsin courts and on recidivism rates for all prisoners.

(L) An evaluation of the health of inmates in out–of–state prisons and the health care provided to them.

(4xt) PRIVATE CORRECTIONAL FACILITIES.

(a) *Definition*. In this subsection, "private correctional facility" means, along with the land on which it is situated, a building, structure or facility meeting all of the following requirements:

1. The building, structure or facility has been or is being constructed on the effective date of this subdivision.

2. The building, structure or facility has been or is being constructed for the confinement of one or more individuals who, as a result of a court order from any jurisdiction, are in custody for the commission or alleged commission of a crime and who would be classified as medium or maximum security under the department of corrections' security classification system.

3. The building, structure or facility has not been and is not being constructed under a contract with the department of administration, a county, a group of counties acting under section 302.44 of the statutes, the department of corrections and any county or group of counties acting under section 302.45 of the statutes, the United States or a federally recognized American Indian tribe or band in this state.

(b) *Acquisition or lease of private correctional facilities.* The department of administration shall, no later than the 30th day after the effective date of this paragraph, commence efforts to negotiate with the owner of each private correctional facility located in this state to purchase the facility or to lease the facility. If the department reaches an agreement to purchase or lease the facility, the purchase or lease is subject to approval of the building commission and the joint committee on finance. If the department is unable to reach an agreement with the owner, the building commission may, notwithstanding section 13.48 (16) of the statutes, acquire the private correctional facility by condemnation under section 32.06 of the statutes, except that this paragraph constitutes the determination of the necessity of taking

for the purposes of section 32.06 (1) of the statutes. Section 13.48 (19) (b) of the statutes, as created by this act, does not apply to the lease or acquisition of a private correctional facility under this paragraph.

(c) *Returning prisoners from out–of–state facilities.* The department of corrections shall use the increase in beds resulting from any lease or acquisition of private correctional facilities under paragraph (b) to reduce its reliance on contracts for the transfer and confinement of Wisconsin prisoners in other states under section 301.21 of the statutes and to return to correctional facilities in Wisconsin prisoners who are confined in other states under those contracts.

(d) *Inapplicability to juvenile facilities.* This subsection does not apply to a building, structure or facility that has been or is being constructed solely to confine juveniles alleged or found to be delinquent.

**SECTION 9112. Nonstatutory provisions; court of appeals.**

**SECTION 9113. Nonstatutory provisions; educational communications board.**

**SECTION 9114. Nonstatutory provisions; elections board.**

**SECTION 9115. Nonstatutory provisions; employe trust funds.**

**SECTION 9116. Nonstatutory provisions; employment relations commission.**

**SECTION 9117. Nonstatutory provisions; employment relations department.**

**SECTION 9118. Nonstatutory provisions; ethics board.**

**SECTION 9119. Nonstatutory provisions; financial institutions.**

**SECTION 9121. Nonstatutory provisions; governor.**

**SECTION 9122. Nonstatutory provisions; Health and Educational Facilities Authority.**

**SECTION 9123. Nonstatutory provisions; health and family services.**

(1) RULES FOR FAMILY CARE BENEFIT. Using the procedure under section 227.24 of the statutes, the department of health and family services shall promulgate the rules required under sections 46.286 (4) to (7), 46.288 (1) to (3) and 50.02 (2) (d) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under sections 46.286 (4) to (7), 46.288 (1) to (3) and 50.02 (2) (d) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(1m) REPORT ON FAMILY CARE. Notwithstanding section 16.42 (1) of the statutes, by November 1, 2000, the department of health and family services shall submit to the governor, as part of the department's 2001–03 biennial budget request, a report that describes the implementation and outcomes of the pilot projects under section 46.281 (1) (d) of the statutes, as created by this act, and that makes recommendations on the family care program under sections 46.2805 to 46.2895 of the statutes, as created by this act.

(1n) ALTERNATIVE TO FAMILY CARE.

(a) The department of health and family services shall, as soon as possible before July 1, 2002, seek waivers of federal medical assistance statutes and

regulations from the federal department of health and human services that are necessary to implement in up to 3 pilot sites a model for the provision of long–term care that is an alternative to the family care program under sections 46.2805 to 46.2895 of the statutes, as created by this act, that would have all of the following characteristics:

1. Medical assistance coverage of services under waiver programs under sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes would be expanded to include selected services specified under section 49.46 (2) (b) of the statutes, including personal care and home health care.

2. Counties in which the pilot sites are located would provide or contract for the provision of, organize or arrange for long–term care services to eligible persons, but would not be required to compete with private or nonprofit organizations for contracts to provide the long–term care.

3. Counties in which the pilot sites are located would provide services of a resource center, as specified under section 46.283 (4) of the statutes, as created by this act. However, the entity providing the services need not be separate from an entity that provides, contracts for the provision of, organizes or arranges for long–term care services under subdivision 2., except that a county may contract for the provision of functions if necessary to obtain federal waiver approval.

4. The cost of the program would not exceed the cost of relevant aspects of the family care program.

5. Pilot sites would be required to reduce average costs per person served in the areas of the sites under sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes for the calendar year preceding implementation of the alternative model, in order to serve additional persons on waiting lists for the services.

6. The department of health and family services would distribute funding to the pilot sites on a per person per month payment basis using the same methodology as that used under section 46.284 (5) (a) of the statutes, as created by this act, as adjusted for the specific services provided.

7. The risk–sharing provisions specified under section 46.284 (5) of the statutes, as created by this act, would apply to pilot sites.

8. Resource centers operated by pilot sites would be required to provide or contract for the provision of services specified under section 46.283 (3) (a), (b), (e), (f), (g), (i) and (k) of the statutes, as created by this act.

(b) If the federal waivers specified under paragraph (a) are approved, the department of health and family services shall as soon as possible before July 1, 2002, seek enactment of statutory language, including appropriation of necessary funding, to implement the model described under paragraph (a), as approved under the federal waivers.

(2) HEALTH INSURANCE RISK–SHARING PLAN AND MEDICAL ASSISTANCE PURCHASE PLAN. The department of health and family services shall evaluate how to coordinate the health insurance risk–sharing plan under chapter 149 of the statutes, as affected by this act, and the medical assistance purchase plan under section 49.472 of the statutes, as created by this act. If necessary, the department shall develop proposed legislation that coordinates the programs and that addresses the provision of health care coverage for individuals who are eligible for both programs.

(3) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE DEMONSTRATION PROJECTS.

(a) From the appropriations under section 20.435 (6) (a) of the statutes, as affected by this act, and section 20.435 (6) (n) of the statutes, the department of

health and family services shall contract with counties or federally recognized American Indian tribes or bands to provide up to 2 demonstration projects in state fiscal year 2000–01. The demonstration projects shall be to provide mental health and alcohol or other drug abuse services under managed care programs to persons who suffer from mental illness, alcohol or other drug dependency or both mental illness and alcohol or other drug dependency.

(b) The department of health and family services shall submit for approval by the secretary of the federal department of health and human services any requests for waiver of federal medical assistance laws that are necessary to secure federal financial participation for the managed care demonstration projects under this subsection. Regardless of whether a waiver is approved, the department of health and family services may contract for the provision of the managed care demonstration projects under this subsection.

(5) PRELIMINARY BREATH SCREENING INSTRUMENTS. From the appropriation account under section 20.435 (6) (hx) of the statutes, as affected by this act, the secretary of administration shall transfer $290,900 to the appropriation account under section 20.395 (5) (ci) of the statutes not later than 30 days after the effective date of this subsection.

(6tt) BADGER CARE PREMIUMS FOR NATIVE AMERICANS. If the department of health and family services receives notification from the federal department of health and human services that Native Americans may not be required to contribute to the cost of health care coverage under the badger care program under section 49.665 of the statutes, as affected by this act, the department shall request the joint committee on finance to supplement the appropriation account under section 20.435 (4) (bc) of the statutes, as affected by this act, from the appropriation account under section 20.865

(4) (a) of the statutes for the 1999–2001 fiscal biennium. Notwithstanding section 13.101 (3) of the statutes, if, within 14 days after receiving the request, the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of approving the request for supplementation, the request shall be considered approved and the appropriation account under section 20.435 (4) (bc) of the statutes, as affected by this act, shall be supplemented from the appropriation account under section 20.865 (4) (a) of the statutes in the amount requested.

(6tu) GRANTS TO TRIBAL HEALTH CENTERS. No later than September 1, 1999, the department of health and family services shall submit a plan to the joint committee on finance that specifies the distribution formula for grants under section 146.19 (2m) of the statutes, as created by this act. If, within 14 days after receiving the plan, the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the department shall distribute the grants under section 146.19 (2m) of the statutes, as created by this act, in accordance with the plan. If, within 14 days after receiving the plan, the cochairpersons notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may not distribute the grants except as approved by the committee.

(7) REPORT TO LEGISLATURE REGARDING HUNGER PREVENTION GRANTS. The department of health and family services shall, by June 30, 2000, submit a report to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes, on grants made under section 46.765, 1997 stats., and the community–based hunger prevention activities conducted using those grants.

(7t) NOCTURNAL ENURESIS STUDY. The department of health and family services shall conduct a study of the efficacy of urine alarms used in conjunction with behavior modification therapy and case management, including bimonthly visits with a specialist, as a treatment for nocturnal enuresis. Not later than January 1, 2000, the department shall report its findings to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes. The department shall include in its report the estimated costs of covering under the medical assistance program the treatment studied.

(7w) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT. The departments of health and family services and workforce development shall jointly develop a plan to modify the client assistance for reemployment and economic support system such that an individual may have his or her eligibility for any public assistance program determined independently of his or her eligibility for any other public assistance program. The departments shall submit their plan to the joint committee on finance not later than November 1, 1999.

(8d) STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN.

(a) The department of health and family services shall study all of the following:

1. The program and operational requirements of establishing an electronic benefit transfer system under the supplemental food program for women, infants and children.

2. Information system requirements for administering an electronic benefit transfer system under the supplemental food program for women, infants and children.

3. Compatibility of an electronic benefit transfer system under the supplemental food program for women, infants and children with existing electronic benefit transfer systems.

4. The costs and benefits of implementing an electronic benefit transfer system to the department of health and family services, participants and vendors under the supplemental food program for women, infants and children.

5. Possible funding sources for the implementation of an electronic benefit transfer system under the supplemental food program for women, infants and children.

(b) Not later than January 1, 2001, the department of health and family services shall report the findings of the study under paragraph (a) to the cochairpersons of the joint committee on finance. The report shall also include recommendations for fraud reduction under the supplemental food program for women, infants and children.

(8t) REPORT ON HUNTINGTON'S DISEASE.

(a) In this subsection, "Huntington's disease" means an inherited, degenerative disease that usually begins during mid–life, is characterized by intellectual decline and irregular and involuntary movement of the limbs or facial muscles and may include personality change, memory disturbance, slurred speech, impaired judgment and psychiatric disorders.

(b) By January 1, 2000, the department of health and family services shall submit to the joint committee on finance a report on service provided to individuals with Huntington's disease that includes information on all of the following:

1. In each county of the state, the number of individuals with any type of disability who receive services under any of the following:

a. The long–term support community options program under section 46.27 (7) of the statutes.

b. The long–term support community options program under section 46.27 (11) of the statutes.

c. The community integration program under section 46.277 of the statutes.

d. County revenues.

2. In each county of the state, the number and percentage of individuals with Huntington's disease who receive services under the programs or source specified in subdivision 1. a. to d.

3. The type of services that individuals with any type of disability, including Huntington's disease, receive under the programs or source specified in subdivision 1. a. to d.

(8x) HEALTH CARE INFORMATION PROPOSAL. By June 30, 2001, the department of health and family services may develop and submit a proposal to the department of administration for supplemental expenditure and position authority for the conduct of health care data collection activities by the subunit of the department of health and family services that deals with health care information. If submitted, the proposal shall identify potential sources of revenue to support proposed health care data collection activities. The department of administration may modify any proposal received and may submit the proposal, together with any proposed legislation required to implement the proposal, to the cochairpersons of the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after receiving the proposal that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the department of administration may approve the proposed expenditure

and position authority, including any proposed modifications of the department of administration. If, within 14 working days after receiving the proposal, the cochairpersons notify the secretary of administration that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the department of administration may not approve the proposed expenditure and position authority, including any proposed modifications of the department of administration, except as approved by the committee.

(9i) TOBACCO CONTROL COUNCIL. Notwithstanding section 15.197 (28) (b) of the statutes, as created by this act, 4 of the initial members of the tobacco control council appointed under section 15.197 (28) (a) 5. to 12. of the statutes, as created by this act, shall serve for terms expiring on July 1, 2003; 5 of the initial members of the tobacco control council appointed under section 15.197 (28) (a) 5. to 12. of the statutes, as created by this act, shall serve for terms expiring on July 1, 2002; and 4 of the initial members of the tobacco control council appointed under section 15.197 (28) (a) 5. to 12. of the statutes, as created by this act, shall serve for a term expiring on July 1, 2001.

(9k) GRANT TO COMMUNITY HEALTH CENTER.

(a) Subject to paragraph (b), the department of health and family services shall award $1,000,000 in fiscal year 1999–2000 as a grant to a community health center that is located in a 1st class city and that emphasizes the health care needs of minority group members, as defined in section 146.185 (1) (f) of the statutes, as created by this act, high–risk pregnant women, infants, children and the elderly.

(b) The department of health and family services may not award the grant under paragraph (a) unless the department submits to the cochairpersons of the joint committee on finance a report that details the amount of the proposed grant and the

services to be provided under the grant by the community health center. If the cochairpersons of the committee do not notify the secretary of health and family services within 14 working days after receiving the report that the committee has scheduled a meeting for the purpose of reviewing the report, the department of health and family services shall award the grant under paragraph (a). If, within 14 working days after receiving the report, the cochairpersons notify the secretary of health and family services that the committee has scheduled a meeting for the purpose of reviewing the report, the department of health and family services may award the grant under paragraph (a) only if, and to the extent that, it is approved by the committee.

(9m) FACILITY PAYMENT; WAGE OR SALARY AND FRINGE BENEFITS SUPPLEMENT.

(a) In addition to any facility payment rate increases for state fiscal years 1999–2000 and 2000–01, in order to permit a facility, as defined in section 49.45 (6m) (a) 3. of the statutes, to increase wages or salaries and fringe benefits for or increase staff hours of nurse's assistants, as determined by the department of health and family services, from the appropriations under section 20.435 (4) (b) and (o) of the statutes the department shall, beginning October 1, 1999, supplement facility payment rates under section 49.45 (6m) (av) of the statutes by an amount not to exceed $8,309,000 in state fiscal year 1999–2000 and $11,078,600 in state fiscal year 2000–01, or by 5% of the total amount of wages reported in the 1998 cost reports of facilities, whichever is less. The department shall calculate each facility's maximum payment per patient day under this subsection by multiplying by 5% the amount obtained by dividing the total of nurse's assistants' wages or salaries of the facility by the total number of patient days of the facility, as indicated by the facility's 1998 cost reports. Each facility may apply to the department for up to the total maximum

amount per patient day calculated for the facility and receive that supplemental amount for each medical assistance day of service provided.

(b) In order to ensure that a supplement provided to a facility under paragraph (a) was expended in accordance with the purpose specified in paragraph (a), the department of health and family services shall examine facility cost reports covering the period during state fiscal year 1999–2000, as compared with reports covering the period during state fiscal year 1998–99, and facility cost reports covering the period during state fiscal year 2000–01, as compared with reports covering the period during state fiscal year 1998–99, to determine whether the facility's nurse's assistants' wage or salary and fringe benefits costs per patient day have increased over the base year by a percentage that is at least equal to the percentage of increase under the supplement under paragraph (a). The department shall adjust the required percentage increase to account for all of the following:

1. Any payment rate increase or decrease applicable to the facility that is in effect beginning July 1, 1999, and is other than the supplement under paragraph (a).

2. The fact that the wage supplement percentage increase is based only on wages and salaries, while the cost comparison also includes fringe benefits.

3. Any decrease or increase in the facility's expenditures for contracted labor services.

4. Any change in the facility's patient acuity levels.

5. Whether or not the facility's reporting period corresponds to the supplement payment period.

6. Any other factor that the department determines is relevant and that is readily available in the data base of the department.

(c) If the department of health and family services determines that a supplement under paragraph (a) provided to a facility was not expended as required under paragraph (b), the department may recoup that part of the supplement that was not expended as required.

(9n) LIMITATION ON REDUCTION OF REIMBURSEMENT FOR PHARMACEUTICAL DRUGS. During the 1999–2001 fiscal biennium, the department of health and family services may not discount the average wholesale price of pharmaceutical drugs provided under section 49.45 of the statutes to medical assistance recipients by more than 10% if the department reimburses for those pharmaceuticals under a formula that takes into account the average wholesale price, and the department may not reduce pharmacy dispensing fees.

(9p) HOSPITAL SUPPLEMENT FOR UNCOMPENSATED CARE. In fiscal year 1999–2000, the department of health and family services shall provide $1,000,000 from the appropriation under section 20.435 (4) (b) of the statutes and $1,422,900 from the appropriation under section 20.435 (4) (o) of the statutes as a supplementary payment to hospitals in Wisconsin that experienced an increase of at least 25% in uncompensated care during the period from January 1, 1997, to December 31, 1998. The department shall calculate a qualifying hospital's supplementary payment amount by multiplying the total amount by the percentage obtained by dividing the hospital's total uncompensated care from January 1, 1997, to December 31, 1998, by the total uncompensated care for all qualifying hospitals for that period.

(9q) DENTAL OUTREACH AND EDUCATION. The department of health and family services shall develop a dental outreach and education plan for dentists and medical assistance recipients to educate recipients on the importance of oral health for children and the parent's role in achieving it, how to access dental services,

expectations and appropriate behavior in a dental office and the importance of keeping scheduled appointments. The department of health and family services shall develop the plan in consultation with the department of public instruction, the department of workforce development, the Wisconsin dental association, state dental and dental hygiene schools, community health care providers, medical assistance recipients and health care advocates. Not later than January 1, 2000, the department of health and family services shall submit the plan to the governor and to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes. The department of health and family services shall include with the plan a fiscal estimate for implementing the plan on a statewide basis, identifying those components of the plan that would be eligible for funding under federal temporary assistance for needy families block grant funding or federal medical assistance administrative matching funds.

(10e) KINSHIP CARE SUPPLEMENT. From the appropriation under section 20.435 (3) (kc) of the statutes, the department of health and family services shall allocate $500,000 in fiscal year 1999–2000 to supplement the allocations to counties and, in a county having a population of 500,000 or more, that department under section 48.57 (3m) (am) (intro.) and (3n) (am) (intro.) of the statutes, as affected by this act, in order to prevent the need to place a kinship care relative, as defined in section 48.57 (3m) (a) of the statutes, or a long–term kinship care relative, as defined in section 48.57 (3n) (a) of the statutes, who is eligible for the receipt of payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, on a waiting list for those payments if payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, by a county or, in a county having a population of 500,000 or more, by that department exceed the

amount allocated to that county or that department. If payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, by a county or, in a county having a population of 500,000 or more, by the department of health and family services exceed the amount allocated to that county or that department, the county or department may request supplemental funding under this subsection. If the department of health and family services determines that supplemental funding is necessary to eliminate a waiting list for payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, in a county, the department shall supplement the amount allocated to the requesting county or department. Notwithstanding sections 20.001 (3) (c) and 20.435 (3) (kc) of the statutes, the department of health and family services may carry forward to fiscal year 2000–01 the unencumbered balance of the amount allocated under this subsection on June 30, 2000. If the entire amount allocated under this subsection is encumbered before July 1, 2001, the department of health and family services shall request a supplemental appropriation under section 16.515 of the statutes. This subsection does not preclude the department of health and family services from reallocating moneys allocated to a county or, in a county having a population of 500,000 or more, that department under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, in order to address a waiting list in another county.

(11g) KINSHIP CARE ADMINISTRATION. The department of health and family services shall reallocate a previously authorized 1.0 GPR FTE position on October 1, 1999, to provide increased oversight of the kinship care program under section 48.57 (3m) to (3t) of the statutes. The 1.0 GPR FTE position shall provide program oversight and monitoring, serve as a liaison to the department of workforce

development and the bureau of Milwaukee child welfare services in the department of health and family services and develop policies and procedures relating to the kinship care program. If the position reallocation required under this subsection requires a transfer of moneys between appropriations, the department of health and family services shall request the joint committee on finance to approve that transfer.

**SECTION 9124. Nonstatutory provisions; historical society.**

**SECTION 9125. Nonstatutory provisions; Housing and Economic Development Authority.**

(1) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. In fiscal year 1999–2000, the Wisconsin Housing and Economic Development Authority shall transfer from the housing rehabilitation loan program administration fund to the Wisconsin development reserve fund the lesser of $5,845,215 or the amount needed to cover the guaranteed default amount of the loan to the Taliesin Preservation Commission.

**SECTION 9126. Nonstatutory provisions; insurance.**

**SECTION 9127. Nonstatutory provisions; investment board.**

(1g) BONUS COMPENSATION PAID TO CERTAIN EMPLOYES OF THE INVESTMENT BOARD. Any employe of the investment board who was awarded a bonus before the effective date of this subsection under section 25.156 (6), 1997 stats., pursuant to a plan of bonus compensation adopted by the investment board, shall be entitled to receive any unpaid part of the bonus as provided under the terms of the plan of bonus compensation, provided that the employe satisfies all conditions specified in section 25.156 (6) and (7), 1997 stats.

**SECTION 9128. Nonstatutory provisions; joint committee on finance.**

**SECTION 9129. Nonstatutory provisions; judicial commission.**

**SECTION 9130. Nonstatutory provisions; justice.**

(1t) LAW ENFORCEMENT TRAINING FOR TOMORROW PROGRAM. Of the moneys appropriated to the department of justice under section 20.455 (2) (ja) of the statutes, $388,100 for fiscal year 1999–2000 and $345,100 in fiscal year 2000–01 is allocated to implement the Training for Tomorrow program for revising and expanding law enforcement training and may not be encumbered or expended unless the department of justice first submits to the cochairpersons of the joint committee on finance a written plan for the use of the allocated funds. If the cochairpersons of the committee do not notify the department within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented as proposed by the department. If, within 14 working days after the date of submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented only upon approval of the committee.

**SECTION 9131. Nonstatutory provisions; legislature.**

(1g) AUDIT OF EMERGENCY RESPONSE PROGRAMS. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to perform a financial and performance evaluation audit of the programs in the department of military affairs, division of emergency management, funded under section 20.465 (3) (dd), (dh), (dp), (dr), (dt), (jt) and (t) of the statutes. If the committee directs the legislative audit bureau to perform the requested audit, the bureau shall file its report as described under section 13.94 (1) (b) of the statutes by January 31, 2000.

(1t) AUDIT OF MILWAUKEE CHILD WELFARE ADMINISTRATION. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to

perform a performance evaluation audit of the administration of child welfare services in Milwaukee County by the department of health and family services. If the committee directs the legislative audit bureau to perform the audit, the audit shall include an evaluation of the use of private agencies in providing those child welfare services; the provision of services to children who are placed in out–of–home care, including case management services and services provided to the families of those children; safety services provided to children who are placed in their own homes; and the use of termination of parental rights and adoption as a permanency planning goal for children who are placed in out–of–home care. If the committee directs the legislative audit bureau to perform the audit, the bureau shall file its report as described under section 13.94 (1) (b) of the statutes by January 1, 2003.

(1x) ECONOMIC DEVELOPMENT AUDIT.

(a) The joint legislative audit committee is requested to consider requesting the legislative audit bureau to perform a performance evaluation audit of the state's economic development programs to determine whether the state:

1. Has a comprehensive economic development strategy that enables the state to compete effectively with other states.

2. Has a comprehensive state economic development budget that accounts for development–related expenditures by all relevant agencies and that plans adequately for future economic development investments.

3. Is using both tax policies and performance–based incentives to foster and improve future competition and economic growth.

4. Has existing incentive programs that complement and further the state's overall economic development goals.

5. Clearly defines strategic economic development goals for the state's economic development finance programs and manages and monitors the programs on that basis.

6. Could effectively implement a performance–based economic development strategy.

(b) If the joint legislative audit committee requests the legislative audit bureau to perform an audit and the bureau performs an audit, the bureau shall file its report as provided in section 13.94 (1) (b) of the statutes.

(2g) FINANCIAL AUDITS OF THE MEDICAL COLLEGE OF WISCONSIN AND THE UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH AND INTERVENTION.

(a) Beginning on July 1, 2001, the legislative audit bureau shall conduct a financial audit of the Medical College of Wisconsin that examines the use of funds appropriated under section 20.250 (1) (k) of the statutes, as created by this act, and shall file its report as described under section 13.94 (1) (b) of the statutes by June 30, 2002.

(b) Beginning on July 1, 2000, the legislative audit bureau shall conduct a financial audit of the tobacco research and intervention center at the University of Wisconsin–Madison that examines the use of funds appropriated under section 20.285 (1) (kr) of the statutes, as created by this act, and shall file its report as described under section 13.94 (1) (b) of the statutes by June 30, 2001.

(2t) AUDIT OF AIR MANAGEMENT PROGRAM. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to perform a performance evaluation audit of the department of natural resource's air management program, including a comparison of federally required aspects of the program and aspects required only by state law. If the committee directs the legislative audit bureau to

perform an audit, the bureau shall file its report as described in section 13.94 (1) (b) of the statutes.

(3e) RADIO BODY ALARM SYSTEM FOR MENDOTA MENTAL HEALTH INSTITUTE.

(a) In this subsection:

1. "Hertz" means a unit of frequency equal to one cycle per second.

2. "Megahertz" means a unit of frequency equal to 1,000,000 hertz.

(b) During state fiscal biennium 1999–2001, from the appropriation under section 20.865 (4) (a) of the statutes, the joint committee on finance may, notwithstanding section 13.101 (3) (a) (intro.), 1. and 2. of the statutes, supplement the appropriation to the Mendota Mental Health Institute under section 20.435 (2) (a) of the statutes, as affected by this act, by $233,000 for the purchase or lease, as recommended by the committee, of an 800 megahertz radio body alarm system for use by staff members of the institute who have direct contact with patients.

(3m) EVALUATION OF FAMILY CARE PILOT PROJECTS. As soon as possible, the legislative audit bureau shall contract with an organization other than an agency of the state to evaluate the pilot projects under section 46.281 (1) (d) of the statutes, as created by this act, and pilot projects under SECTION 9123 (1n) of this act as to cost–effectiveness, client access to services and quality of care.

(3z) STUDY OF SPECIAL TRANSFER PROGRAM. The joint legislative council is requested to conduct a study of the special transfer program under subchapter VI of chapter 121 of the statutes. If the joint legislative council conducts the study, it shall report its findings, conclusions and recommendations to the legislature in the manner provided under section 13.172 (2) of the statutes by January 1, 2000.

**SECTION 9132. Nonstatutory provisions; lieutenant governor.**

**SECTION 9133. Nonstatutory provisions; lower Wisconsin state riverway board.**

**SECTION 9134. Nonstatutory provisions; Medical College of Wisconsin.**

**SECTION 9135. Nonstatutory provisions; military affairs.**

(1z) REQUEST FOR ADDITIONAL FUNDING FOR TUITION GRANT PROGRAM. If the department of military affairs determines that the amount appropriated under section 20.465 (2) (a) of the statutes for the payment of national guard tuition grants is anticipated to be insufficient to fully fund the eligible tuition costs under section 21.49 of the statutes in fiscal year 1999–2000 or in fiscal year 2000–01, the department shall, during that fiscal year, request the additional funding necessary to fully fund the eligible tuition costs from the joint committee on finance.

**SECTION 9136. Nonstatutory provisions; natural resources.**

(1) RULES FOR SAFETY PROGRAMS OF INSTRUCTION. The department of natural resources may use the procedure under section 227.24 of the statutes to promulgate rules under sections 23.33 (5) (d), 29.591 (3), 30.74 (1) (b) and 350.055 of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until April 1, 2000, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) EMERGENCY RULES FOR BROWNFIELD SITE ASSESSMENT GRANT PROGRAM. Using the procedure under section 227.24 of the statutes, the department of natural resources shall promulgate rules required under section 292.75 of the statutes, as

created by this act, for the period before permanent rules become effective, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(3) RULES CONCERNING NATURAL ATTENUATION OF GROUNDWATER CONTAMINATION. Using the procedure under section 227.24 of the statutes, the department of natural resources shall promulgate the rules required under section 292.15 (2) (ae) of the statutes, as created by this act, for the period before the effective date of the permanent rules under that provision, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating rules under this subsection is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for rules promulgated under this subsection.

(3d) FUNDING AND POSITIONS FOR AIR POLLUTION CONTROL CONSTRUCTION PERMIT PROGRAM. If a rule modifying the fees under section 285.69 (1) (a) of the statutes for reviewing and acting upon air pollution control construction permits takes effect during the 1999–2001 fiscal biennium, the department of natural resources shall do all of the following:

(a) Request the governor under section 16.505 of the statutes to increase the authorized level of full–time equivalent positions funded from the appropriation

account under section 20.370 (2) (ci) of the statutes for reviewing and acting upon air pollution control construction permits.

(b) Request the secretary of administration under section 16.515 of the statutes to supplement the appropriation under section 20.370 (2) (ci) of the statutes for the purpose of increasing funding for reviewing and acting upon air pollution control construction permits.

(3x) WASTEWATER DISCHARGE FEES.

(a) *Report.* The department of natural resources shall prepare a report on wastewater discharge fees under section 299.15 (3) (am) of the statutes. The department shall include any recommendation for statutory changes needed to implement section 299.15 (3) (e) of the statutes, as created by this act. The department shall submit its report to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes and to the joint committee on finance no later than February 1, 2000.

(b) *Rules.* The department of natural resources shall submit in proposed form the rules required under section 299.15 (3) (e) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than February 1, 2000, and shall promulgate the rules no later than January 1, 2001, unless action by the legislature under chapter 227 of the statutes prevents the department from meeting this deadline.

(3yt) RULES RELATED TO PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The department of natural resources shall submit in proposed form any changes in its rules necessary to conform to the rules under section 101.143 (2) (h), (i) and (j) of the statutes, as created by this act, to the legislature under section 227.19 of the statues no later than June 1, 2000.

(4) DRINKING WATER STUDY. During the 1999–2001 fiscal biennium, the department of natural resources shall provide a grant from the appropriation under section 20.370 (6) (ck) of the statutes, as created by this act, to the town of Swiss, Burnett County, and the St. Croix band of Chippewa for a study to determine the best technological approaches to addressing water quality problems threatening drinking water and overall water quality problems of the St. Croix, Namekagon and Yellow rivers and for engineering design and feasibility activities related to construction of wastewater and drinking water treatment facilities. The town and the band shall submit a report describing the findings of the study to the department of natural resources and the department of administration no later than January 1, 2001.

(4x) LAND RECYCLING LOAN FOR THE CITY OF KENOSHA.

(a) Except as provided in paragraph (b), the department of natural resources and the department of administration shall provide a loan bearing no interest under section 281.60 of the statutes to the city of Kenosha in the amount of $3,000,000. Section 281.60 (2r) to (11) of the statutes, as affected by this act, does not apply to the loan under this paragraph. The department of natural resources, the department of administration and the city of Kenosha shall enter into a financial assistance agreement that specifies the use of the loan, the terms of repayment of the loan and a schedule for the dispersal of funds and for completion of the activities to be funded by the loan.

(b) Paragraph (a) does not apply if the department of natural resources, the department of administration and the city of Kenosha do not enter into the financial assistance agreement before July 1, 2000.

(5) RADIO SERVICES.

(a) *Position increases.* The authorized FTE positions for the department of natural resources are decreased by 7.0 SEG positions, funded from the appropriation under section 20.370 (8) (mu) of the statutes, for the performance of duties primarily related to radio services.

(b) *Employe transfers.* There are transferred from the department of natural resources to the department of transportation 7.0 FTE incumbent employes holding positions in the department of natural resources performing duties primarily related to radio services.

(c) *Employe status.* Employes transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of transportation that they enjoyed in the department of natural resources immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Payments to the department of transportation.* If the department of transportation provides radio services to the department of natural resources under section 85.12 of the statutes in fiscal years 1999–2000 and 2000–01, the department of natural resources shall make payments to the department of transportation for these services from the appropriations under section 20.370 (8) (mt) of the statutes, as affected by this act, and section 20.370 (8) (mu) of the statutes on the first day of each quarter of fiscal years 1999–2000 and 2000–01, except that the department of natural resources shall make its first payment in fiscal year 1999–2000 on July 31, 1999, or 10 days after the effective date of this paragraph, whichever occurs later.

(6) DATABASE OF PROPERTIES ON WHICH GROUNDWATER STANDARDS ARE EXCEEDED. Using the procedure under section 227.24 of the statutes, the department of natural

resources may promulgate a rule under section 292.57 (2) of the statutes, as created by this act, for the period before the effective date of the rule promulgated under section 292.57 (2) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(6g) LOCAL GOVERNMENTAL UNIT NEGOTIATION AND COST RECOVERY PROCESS. No later than January 1, 2001, the department of natural resources shall submit to the legislature, in the manner provided under section 13.172 (2) of the statutes, proposed legislation to make the process for local governmental unit negotiation and cost recovery under section 292.35 of the statutes more efficient and clear. The department shall propose legislation that includes provisions that do all of the following:

(a) Provide a more efficient method of providing notice to all parties.

(b) Clarify the liability provisions.

(c) Clarify the provisions related to the identification of responsible parties.

(d) Provide local governmental units with a clear method of dealing with information discovered late in the negotiation and cost recovery process.

(e) Require responsible parties to state the basis for their objection to a local governmental unit's offer to settle before seeking designation of an umpire.

(f) Require potential umpires to be environmental experts.

(g) Require an umpire to submit a proposed recommendation under section 292.35 (6) (a) of the statutes and give the parties a period for making comments before the umpire finalizes the recommendation.

(6h) BIBLIOGRAPHY OF GROUNDWATER INFORMATION. During the 1999–2001 fiscal biennium, the department of natural resources shall create a bibliography of information, on a geographic basis, that identifies all sources of general and site–specific information about groundwater.

(7) STUDY OF LAND APPLICATION OF SEPTAGE. The department of natural resources shall study this state's program for regulating the application of septage to land. No later than September 1, 2000, the department shall submit a report presenting the results of the study, including relevant data, identification of problems and recommendations to improve the program, to the legislature in the manner provided in section 13.172 (2) of the statutes, to the governor and to the department of administration.

(7g) RULES FOR URBAN STORM WATER LOAN PROGRAM. The department of natural resources shall submit in proposed form the rules required under section 281.595 (12) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than February 1, 2000, and shall promulgate the rules no later than December 31, 2000, unless action by the legislature under chapter 227 of the statutes prevents the department from meeting this deadline.

(8tt) AIR EMISSION FEE RULES. The department of natural resources shall submit in proposed form the rules required under section 285.69 (2) (a) 7. to 11. of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than July 1, 2001, and shall promulgate the rules no later

than March 1, 2002, unless action by the legislature under chapter 227 of the statutes prevents the department from meeting this deadline.

(8tu) AIR EMISSION FEE STATUTORY CHANGES. Notwithstanding section 16.42 (1) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2001–03 biennial budget act, the department of natural resources shall include any proposed statutory changes that the department determines are necessary to implement the proposed rules under section 285.69 (2) (a) 7. to 11. of the statutes, as created by this act.

(8tv) ADVISORY COMMITTEE FOR AIR MANAGEMENT PERFORMANCE STANDARDS. The natural resources board shall establish a committee under section 15.04 (1) (c) of the statutes to advise the department of natural resources in the development of the performance measurements under section 285.11 (18) of the statutes, as created by this act. The board shall include on the committee industry representatives who are knowledgeable about performance and productivity assessment in the area of environmental management, as well as other interested persons.

(9) GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the appropriation under section 20.370 (6) (br) of the statutes, as affected by this act, the department of natural resources shall award the following grants to the Wheelchair Recycling Project, a part of the Madison chapter of the National Spinal Cord Injury Association, for the purpose of refurbishing used wheelchairs and other mobility devices and returning them to use by persons who otherwise would not have access to needed or appropriate equipment:

(a) On September 1, 1999, $75,000.

(b) On July 1, 2000, $50,000.

(9c) OCONTO COUNTY BOAT LANDING PROJECT. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural resources shall provide to Oconto County funding for a boat landing and breakwall in Park 2 in Oconto County. Oconto County and the department shall contribute funding for the project. The department's contribution shall equal 80% of the project's costs or $727,200, whichever is less. Oconto County's contribution may be in matching funds or may be in–kind contributions or both. The amount expended under this subsection shall be considered an expenditure for a Great Lakes project as provided in section 30.92 (4) (b) 6. of the statutes. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2001.

(9d) MCDILL LAKE DREDGING PROJECT. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural resources shall provide to the McDill Inland Lake Protection and Rehabilitation District the amount that is necessary for the dredging of McDill Lake in Portage County but the amount may not exceed $250,000. The McDill Inland Lake Protection and Rehabilitation District shall contribute funding for the project equal to 50% of the project's cost. The McDill Inland Lake Protection and Rehabilitation District's contribution may be in matching funds or may be in–kind contributions or both. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, the dredging project specified under this subsection qualifies as a recreational boating project for the purpose of expending moneys under this subsection. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2001.

(10d) URBAN FORESTRY GRANT FOR MILWAUKEE. From the appropriation under section 20.370 (5) (bw) of the statutes, the department of natural resources shall provide $50,000 in fiscal year 1999–2000 and $50,000 in fiscal year 2000–01 to the city of Milwaukee for a tree planting demonstration project.

(10g) STEWARDSHIP PROGRAMS. The department of natural resources may promulgate emergency rules under section 227.24 of the statutes implementing sections 23.09 (20m) and 30.24 of the statutes, as created by this act. The department may also promulgate emergency rules under section 227.24 of the statutes implementing any provisions of section 23.0915 of the statutes, as affected by this act, or section 23.0917 of the statutes, as created by this act, if the rules are necessary for the department to act as authorized or required under section 23.0915 of the statutes, as affected by this act, or section 23.0917 of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules promulgated under this subsection may remain in effect until June 30, 2001, or until the date on which the permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(10m) STUDY ON WILD CRANES. From the appropriation under section 20.370 (1) (Lk) of the statutes, as created by this act, the department of natural resources shall provide in fiscal year 1999–2000 a total of $55,000 and in fiscal year 2000–01 a total of $60,000 to the University of Wisconsin and the International Crane Foundation

jointly for a study of crop damage caused in this state by cranes. The study shall be completed before July 1, 2001.

(10x) BOAT REGISTRATION SURCHARGES. Notwithstanding section 13.101 (3) of the statutes, the department of natural resources shall request that the joint committee on finance supplement the appropriation under section 20.370 (3) (ar) of the statutes, as affected by this act, for boating safety education during the 1999–2001 fiscal biennium, and shall make the request no later than the 2nd quarterly meeting of the joint committee on finance, under section 13.10 of the statutes, to be held in 2000. Notwithstanding section 13.101 (3) (a) of the statutes, the committee is not required to find that an emergency exists before acting upon any such request.

**SECTION 9137. Nonstatutory provisions; personnel commission.**

**SECTION 9138. Nonstatutory provisions; public defender board.**

**SECTION 9139. Nonstatutory provisions; public instruction.**

(1d) NEWSLINE. In consultation with the Wisconsin Regional Library for the Blind and Physically Handicapped in the city of Milwaukee, the department of public instruction shall enter into a 2–year extension of the contract specified in 1997 Wisconsin Act 27, section 9140 (5m), with the National Federation of the Blind to provide the Newsline electronic information service. The department of public instruction shall use the moneys transferred to the appropriation account under section 20.255 (1) (ke) of the statutes under SECTION 9241 (1d) of this act to pay the costs incurred under this subsection.

(1e) DEFINITION OF STATE SCHOOL AIDS. Notwithstanding section 121.15 (3m) (a) 2. of the statutes, as affected by this act, the definition of state school aids under section 121.15 (3m) (a) 2. of the statutes, as affected by this act, includes all of the following:

(a) In the 1999–2000 school year, $927,100.

(b) In the 2000–01 school year, $1,695,700.

(1f) NATIONAL TEACHER CERTIFICATION. Notwithstanding section 115.42 (1) (b) of the statutes, as created by this act, if a person who is eligible for a grant under section 115.42 (1) (a) of the statutes became certified by the National Board for Professional Teaching Standards before the effective date of this subsection, the department of public instruction shall award the grant under section 115.42 (1) of the statutes in the 1999–2000 fiscal year.

(1g) SOFTWARE TRAINING. In coordination with Pyramid Media and with the appropriate staff of the cooperative educational service agencies, the department of public instruction shall offer free training through June 30, 2001, on the classroom use of the module of the Body Awareness Resource Network software that concerns smoking and tobacco use.

**SECTION 9140. Nonstatutory provisions; public lands, board of commissioners of.**

(1d) TRUST FUND LOANS. No later than December 1, 1999, the board of commissioners of public lands shall submit a report to the cochairpersons of the joint committee on finance detailing the accounting and administrative actions taken by the board to permit the acceptance of advance payments of loans during any repayment period under section 24.63 (4) of the statutes, as affected by this act.

**SECTION 9141. Nonstatutory provisions; public service commission.**

(1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM.

(a) In this subsection:

1. "Board" means the technology for educational achievement in Wisconsin board.

2. "Commission" means the public service commission.

3. "Secretary" means the secretary of administration.

(b) During the period beginning on the effective date of this paragraph and ending on the first day of the 3rd month beginning after the effective date of this paragraph, the commission shall cooperate with the board in providing orderly and efficient transfers under this subsection. On the first day of the 3rd month beginning after the effective date of this paragraph, all of the following apply:

1. All rules that have been promulgated by the commission under section 196.218 (4r) (b), 1997 stats., and that are in effect shall become rules of the board and shall remain in effect until their specified expiration dates or until amended or repealed by the board. All determinations that have been made by the commission under section 196.218 (4r) (g), 1997 stats., regarding documentation of contracts shall become determinations of the board and shall remain in effect until modified or rescinded by the board.

2. Any matter relating to the administration of the educational telecommunications access program under section 196.218 (4r), 1997 stats., that is pending with the commission is transferred to the board, and all materials submitted to or actions taken by the commission with respect to the pending matter are considered to have been submitted to or taken by the board.

3. All tangible personal property, including records, of the commission pertaining to the administration of the educational telecommunications access program under section 196.218 (4r), 1997 stats., as determined by the secretary, is transferred to the board.

4. All contracts entered into by the commission in effect on the effective date of this subdivision pertaining to the administration of the educational

telecommunications access program under section 196.218 (4r), 1997 stats., as determined by the secretary, remain in effect and are transferred to the board. The board shall carry out any obligations under such a contract until the contract is modified or rescinded by the board to the extent allowed under the contract.

5. The assets and liabilities of the commission pertaining to the administration of the educational telecommunications access program under section 196.218 (4r), 1997 stats., as determined by the secretary, shall become the assets and liabilities of the board.

**SECTION 9142. Nonstatutory provisions; regulation and licensing.**

(1) HEARING INSTRUMENT SPECIALIST LICENSES.

(a) The department of regulation and licensing shall pay a renewal fee refund of $150 to a person who holds a valid audiologist license if he or she has held a valid hearing instrument specialist license that was renewed on February 1, 1998, and he or she surrenders the hearing instrument specialist license to the department on or before the first day of the 3rd month beginning after the effective date of this paragraph.

(b) Notwithstanding sections 440.08 (2) (a) 38. and 459.09 of the statutes, as affected by this act, a person that applies to renew a hearing instrument specialist license that expires on February 1, 2001, is required to pay a renewal fee of 50% of the amount specified in section 440.08 (2) (a) 38. of the statutes, as affected by this act.

**SECTION 9143. Nonstatutory provisions; revenue.**

(1x) INTEGRATED TAX SYSTEM. The department of revenue shall submit a report to the joint committee on finance, by January 1, 2002, that identifies any additional

revenue that has been generated by the implementation of the integrated tax system, as created under 1997 Wisconsin Act 27, section 9143 (4z), and as affected by this act.

(2t) RELEASE OF CERTAIN LOTTERY RETAILER COMPENSATION APPROPRIATIONS.

(a) The department of revenue may not encumber or expend moneys appropriated to it under section 20.566 (8) (r) of the statutes for the purpose of providing additional compensation to lottery retailers under the retailer performance program until the department of revenue submits a retailer performance program plan based upon administrative rules proposed under section 565.02 (4) (g) of the statutes, as created by this act, to the joint committee on finance.

(b) If the cochairpersons of the committee do not notify the department of revenue within 14 working days after the date of the department's submittal under paragraph (a) that the committee has scheduled a meeting for the purpose of reviewing the retailer performance program plan submitted under paragraph (a), the secretary of administration shall direct that the moneys may be encumbered or expended. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the moneys may be encumbered or expended only upon approval of the plan by the committee.

**SECTION 9144. Nonstatutory provisions; secretary of state.**

**SECTION 9145. Nonstatutory provisions; state fair park board.**

(1tv) STATE FAIR PARK RACETRACK NOISE ABATEMENT PLAN. The state fair park board shall submit to the joint committee on finance a plan for noise abatement at the racetrack facility located in the state fair park. The plan shall be submitted jointly with any lessee of the racetrack facility at the time of submittal of the plan.

If the committee approves the plan, the cochairpersons of the committee shall notify the chairperson of the building commission in writing of the committee's approval.

**SECTION 9146. Nonstatutory provisions; supreme court.**

(1w) REPORT TO LEGISLATURE REGARDING RESERVE JUDGES. The director of state courts shall, by October 1, 2000, submit a report to the governor, to the members of the joint committee on finance, and to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes, regarding the recruitment, retention and compensation of reserve judges.

**SECTION 9147. Nonstatutory provisions; technical college system.**

(2d) INCENTIVE GRANTS. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 2001–03 biennial budget bill, the technical college system board shall submit information concerning the appropriation under section 20.292 (1) (dc) of the statutes as though the amount that was appropriated in the 1998–99 fiscal year constitutes the base level for that appropriation.

**SECTION 9148. Nonstatutory provisions; technology for educational achievement in Wisconsin board.**

(1g) TELECOMMUNICATIONS ACCESS; PREEXISTING CONTRACTS. The technology for educational achievement in Wisconsin board may not require, as a condition for receiving a grant in the 1999–2000 fiscal year under section 44.73 (6) of the statutes, as affected by this act, that a public or private school that is a member of the KSCADE network applies for the rate discounts specified under 47 USC 254.

(1vt) PASSIVE REVIEW. Notwithstanding sections 13.101 (3) (a) and 20.865 (4) (u) of the statutes, if the technology for educational achievement in Wisconsin board submits a request to the joint committee on finance to supplement the appropriation

under section 20.275 (1) (s), (t) or (tm) of the statutes, as affected by this act, and submits information related to the board's estimated program demand and final, annualized costs to the committee, and if the cochairpersons of the joint committee on finance do not notify the board within 14 working days after the date of the board's request and submittal of information that the committee has scheduled a meeting to review the request and information, the request is considered approved. If, within 14 working days after the submission of the request and information, the cochairpersons of the committee notify the board that the committee has scheduled a meeting to review the request, the request may be granted only upon approval of the committee.

(1w) PROJECTIONS AND FUNDING FOR 2001–03 BIENNIAL BUDGET. Notwithstanding section 16.42 (1) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 2001–03 biennial budget, the technology for educational achievement in Wisconsin board shall include information concerning all of the following:

(a) Projections concerning the ultimate size of the educational telecommunications access program.

(b) How much of the funding required for the educational telecommunications access program should be drawn from universal service fund assessments.

(c) Other funding sources if the recommended funding from the universal service fund is less than the total projected costs for the educational telecommunications access program.

(d) How long entities participating in the educational telecommunications access program should continue to receive subsidies under the program and how best to phase out the program.

(2x) RULES RELATING TO EDUCATIONAL TECHNOLOGY TRAINING GRANTS.

(a) Subject to paragraph (b), the technology for educational achievement in Wisconsin board shall use the procedure under section 227.24 of the statutes to promulgate the rules required under section 44.72 (1) (d) of the statutes, as created by this act, for a period not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the board need not provide evidence of the necessity of preserving the public peace, health, safety or welfare in promulgating the rules under this paragraph.

(b) The board shall submit the proposed rules under paragraph (a) to the cochairpersons of the joint committee on information policy. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed rules within 14 working days after the date of the board's submittal, the board may proceed to promulgate the rules. If, within 14 working days after the date of the board's submittal, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed rules, the board shall not promulgate the rules until the committee approves the rules.

**SECTION 9149. Nonstatutory provisions; tourism.**

(1to) GRANT FOR UPGRADE OF AZTALAN STATE PARK. From the appropriation under section 20.380 (1) (kg) of the statutes, as created by this act, the department of tourism shall make a grant of $75,000 in fiscal year 1999–2000 to the department of natural resources for the purpose of completing the upgrading of Aztalan State Park, including the development of an overall public education and research strategy, as well as a long–term interpretive and management plan that includes

establishing an interpretive visitor's center, opening other portions of the site to the public and using visual effects to enhance the experience of visitors to the park. The state historical society shall work with management personnel of Aztalan State Park to facilitate timely completion of the upgrade. The department of natural resources shall deposit the grant proceeds in the appropriation account under section 20.370 (1) (mk) of the statutes.

**SECTION 9150. Nonstatutory provisions; transportation.**

(2) RICHARD I. BONG AIR MUSEUM. Of the amounts appropriated to the department of transportation under section 20.395 (2) (nx) of the statutes, the department shall award a grant of $1,000,000 in fiscal year 1999–2000 to the city of Superior for the purpose of constructing the Richard I. Bong air museum in Superior, except that the amount of the grant awarded under this subsection may not exceed 80% of the costs of constructing the air museum.

(2c) ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION ADJUSTMENTS. Notwithstanding section 20.928 of the statutes, the department of transportation is not entitled to any supplements for unbudgeted compensation adjustments under section 20.928 of the statutes for the 1999–2001 fiscal biennium for any position funded from the appropriation under section 20.395 (3) (bq) of the statutes, except for any supplement that exceeds an adjustment increase for that position above the level established for fiscal year 1998–99 of 5.8% in fiscal year 1999–2000 and 6.1% in fiscal year 2000–01, as determined by the secretary of administration, and for any position funded from the appropriation under section 20.395 (3) (cq) of the statutes, as affected by this act, except for any supplement that exceeds an adjustment increase for that position above the level established for fiscal year 1998–99 of 2.5%

in fiscal year 1999–2000 and 3% in fiscal year 2000–01, as determined by the secretary of administration.

(2g) FLAMBEAU RIVER RECREATIONAL BRIDGE PROJECT. Of the amounts appropriated to the department of transportation under section 20.395 (2) (nx) of the statutes, the department shall allocate $190,400 in the 1999–2001 fiscal biennium to the city of Park Falls for the Flambeau River Recreational Bridge project.

(2h) LITTLE LAKE BUTTE DES MORTS TRESTLE TRAIL CAUSEWAY PROJECT. Of the amounts appropriated to the department of transportation under section 20.395 (2) (nx) of the statutes, the department shall allocate $80,000 in the 1999–2001 fiscal biennium to the city of Menasha for the Little Lake Butte des Morts Trestle Trail Causeway project, except that the amount allocated under this subsection may not exceed 50% of the costs of the project.

(3) MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES GRANTS. The department of transportation shall award grants from the appropriation under section 20.395 (2) (ny) of the statutes, as created by this act, to the department of natural resources for the purpose of constructing pedestrian and bicycle facilities along Lake Michigan in the city of Milwaukee.

(3g) KINNICKINNIC RIVER BIKE TRAIL PROJECT. Notwithstanding section 85.245 (1) of the statutes, before approving any other project to receive federal funds distributed under section 85.245 of the statutes, the secretary of transportation shall approve the Kinnickinnic River Bike Trail project in the city of Milwaukee to receive federal funds distributed under section 85.245 of the statutes if the project is consistent with the requirements of 23 USC 149 and regulations promulgated under 23 USC 149.

(3m) ANNUAL OUTDOOR ADVERTISING SIGN PERMIT FEE. If the department of transportation establishes an annual fee under section 84.30 (10m) of the statutes, as created by this act, during the 1999–2001 fiscal biennium, the department shall design the fee to collect not more than $510,000 in fiscal year 2000–01.

(3v) PROPOSALS FOR TRANSPORTATION PLANNING, ACCESS AND INFRASTRUCTURE IMPROVEMENTS. Notwithstanding section 16.42 (1) of the statutes, the department of transportation shall work with the city of Green Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh to develop proposals for transportation planning, access and infrastructure improvements for inclusion in the department's submission under section 16.42 of the statutes for the purposes of the 2001–03 biennial budget act.

(5xy) TRANSFER OF AUTHORITY AND RECORDS FROM THE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF COMMERCE. On July 1, 2000, all of the following apply:

(a) All equipment, supplies and records of the department of transportation pertaining to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes are transferred to the department of commerce.

(b) All rules pertaining to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes that have been promulgated by the department of transportation, that are in effect on July 1, 2000, and that do not conflict with the rules of the department of commerce shall become rules of the department of commerce and shall remain in effect until their specified expiration dates or until amended or repealed by the department of commerce. All orders pertaining to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes that have been issued by the department of transportation, that are in effect on July 1,

2000, and that do not conflict with orders of the department of commerce shall become orders of the department of commerce and shall remain in effect until their specified expiration dates or until modified or rescinded by the department of commerce.

(c) Any matter relating to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes that is pending with the department of transportation on July 1, 2000, is transferred to the department of commerce, and all materials submitted to or actions taken by the department of transportation with respect to the pending matter are considered to have been submitted to or taken by the department of commerce.

(d) The department of commerce may collect any amount payable under the statutes before July 1, 2000, for the costs of materials, activities or services that were provided by the department of transportation and that relate to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes.

(e) Any person who, on the first day of the 6th month beginning after the effective date of this paragraph, has been issued a license by the department of transportation to sell mobile homes that exceed the statutory size under section 348.07 (2) of the statutes is considered to have received that license under section 101.951 or 101.952 of the statutes, as created by this act, whichever is appropriate.

(6) RADIO SERVICES POSITIONS. The authorized FTE positions for the department of transportation are increased by 7.0 SEG positions, to be funded from the appropriation under section 20.395 (5) (dq) of the statutes, as affected by this act, for the performance of duties primarily related to radio services.

(7c) HARTFORD HERITAGE AUTO MUSEUM. Notwithstanding section 86.91 (1) of the statutes, as affected by this act, the department of transportation shall erect

directional signs along USH 41 near the interchange with STH 60 for the Hartford Heritage Auto Museum located in Hartford in Washington County. The department may not charge any fee related to signs erected under this subsection.

(7d) AIRPORT PERIMETER FENCING. Notwithstanding section 114.34 (1) and (3) of the statutes, the department of transportation shall provide a 20% match to any federal funds received during the 1999–2001 fiscal biennium for the construction of airport perimeter fencing.

(7e) MEEHAN STATION HISTORIC SITE. The secretary of transportation shall allocate not more than $14,900 in fiscal year 1999–2000 from the appropriation under section 20.395 (3) (cq) of the statutes, as affected by this act, for directional signs, an historical marker, land acquisition activities, landscaping and historic information materials relating to the Meehan Station historic site located 6 miles west of Plover in Portage County.

(7f) TRAFFIC CONTROL SIGNALS IN ST. CROIX FALLS. The department of transportation shall install traffic control signals at the intersection of USH 8 and 218th Street in the city of St. Croix Falls in Polk County.

(7g) STATE TRUNK HIGHWAY ADDITION STUDY. The department of transportation shall, under section 84.295 (2) of the statutes, study whether Tolles Road in Rock County should be added to the state trunk highway system, and, by June 30, 2000, submit a report presenting the results of that study to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.

(8g) SIDEWALKS IN WISCONSIN RAPIDS. The department of transportation shall install sidewalks along both sides of STH 54 between 32nd Street and 48th Street northeast of Wisconsin Rapids in Wood County.

(9g) INSTALLATION OF RAILROAD CROSSING GATES.

(a) The department of transportation shall allocate from the appropriations under section 20.395 (2) (gr) and (gx) of the statutes, as affected by this act, $287,100 for the installation of railroad crossing gates at the intersection of West Clark Street and the Wisconsin Central Railroad tracks and at the intersection of Water Street and the Wisconsin Central Railroad tracks, both of which are located in Stevens Point in Portage County. The city of Stevens Point shall pay at least 10% of the installation costs.

(b) The department of transportation shall expend from the appropriations under section 20.395 (2) (gr) and (gx) of the statutes, as affected by this act, the cost of the installation of railroad crossing gates at the intersection of Swarthout Road and the Canadian Pacific railroad tracks northwest of Fall River in Columbia County.

**SECTION 9151. Nonstatutory provisions; treasurer.**

**SECTION 9152. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Authority.**

**SECTION 9153. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Board.**

**SECTION 9154. Nonstatutory provisions; University of Wisconsin System.**

(1d) INFORMATION TECHNOLOGY.

(a) The board of regents of the University of Wisconsin System shall develop a plan to help ensure that students who receive information technology training from the University of Wisconsin System and who are employed as student workers in the information technology area at the University of Wisconsin System are retained as employes in the information technology area for the duration of their enrollment.

The board of regents shall submit a copy of this plan to the members of the joint committee on finance before November 1, 1999.

(b) The board of regents of the University of Wisconsin System shall submit a report to the members of the joint committee on finance no later than September 1, 2000, that contains all of the following information:

1. The number of new student information technology positions filled during the 1999–2000 fiscal year at each University of Wisconsin System institution.

2. The range of salaries at each University of Wisconsin System institution for students employed in information technology positions during the 1999–2000 fiscal year.

3. The average salary at each University of Wisconsin System institution for students employed in information technology positions during the 1999–2000 fiscal year.

4. The number of students enrolled in the University of Wisconsin System who received information technology training from an University of Wisconsin System institution during the 1999–2000 fiscal year, their areas of training and the costs associated with their training.

5. For each University of Wisconsin System institution, the turnover rates for students employed in information technology positions during the 1999–2000 fiscal year.

6. For each University of Wisconsin System institution, the average length of employment in information technology positions for those students whose employment included employment during the 1999–2000 fiscal year.

(1w) FUNDING FOR COMPENSATION INCREASES. The board of regents of the University of Wisconsin System may not use any of the following funding relating

to the Madison initiative for merit–based salary increases for any person who is a member of the faculty, as defined in section 36.05 (8) of the statutes, or of the academic staff, as defined in section 36.05 (1) of the statutes, unless the increases are made for the purpose of retaining the person:

(a) Under section 20.285 (1) (a) of the statutes, $5,500,000 appropriated in the 1999–2000 fiscal year.

(b) Under section 20.285 (1) (a) of the statutes, $9,500,000 appropriated in the 2000–01 fiscal year.

(c) Under section 20.285 (1) (im) of the statutes, $2,961,500 appropriated in the 1999–2000 fiscal year.

(d) Under section 20.285 (1) (im) of the statutes, $5,115,400 appropriated in the 2000–01 fiscal year.

(2c) PASSIVE REVIEW. Notwithstanding sections 13.101 (3) (a) and 20.865 (4) (a) of the statutes, if the board of regents of the University of Wisconsin System submits a request to the joint committee on finance to supplement the appropriation under section 20.285 (1) (b) of the statutes, as affected by this act, and if the cochairpersons of the committee do not notify the board of regents within 14 days after the date of the board's request that the committee has scheduled a meeting to review the request, the request is approved. If, within 14 working days after the date of the submission of the request, the cochairpersons of the committee notify the board of regents that the committee has scheduled a meeting to review the request, the request may be granted only upon approval of the committee.

(2j) STATE AGENCY VEHICLE FLEET MANAGEMENT CONSOLIDATIONS. The board of regents of the University of Wisconsin System shall direct the administration of the University of Wisconsin–Madison to cooperate fully with the department of

administration in conducting the study required under SECTION 9101 (18h) of this act.

(2m) BROWNFIELDS CASE STUDIES. The Robert M. LaFollette Institute of Public Affairs and the Department of Urban and Regional Planning of the University of Wisconsin–Madison are requested to conduct a study comparing the expected costs and returns of redeveloping a contaminated property with the expected costs and returns of developing an uncontaminated property.

(2t) GINSENG RESEARCH. Notwithstanding section 16.50 (1) (a) and (2) of the statutes, the secretary of administration shall require submission of expenditure estimates from the board of regents of the University of Wisconsin System for ginseng research under section 20.285 (1) (qd) of the statutes, as created by this act, and shall not approve any expenditure estimates for ginseng research in the 1999–2001 fiscal biennium unless the board of regents receives funds from the Ginseng Board of Wisconsin equal to 20% of the amount appropriated under section 20.285 (1) (qd) of the statutes, as created by this act.

(2w) OVERSEAS MARKET STUDY. In the 2000–01 fiscal year, the University of Wisconsin–Milwaukee shall conduct a market research and feasibility study related to expanding the programming and the presence of the University of Wisconsin System overseas. The study shall not include the feasibility of purchasing overseas real estate. The board of regents of the University of Wisconsin System shall allocate $250,000 from the appropriation under section 20.285 (1) (a) of the statutes for the study. Upon completion of the study, the University of Wisconsin–Milwaukee shall submit a copy of a report summarizing its findings to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.

(3m) FUNDING OF 1999–2001 UNIVERSITY OF WISCONSIN SYSTEM FACULTY AND ACADEMIC STAFF PAY ADJUSTMENTS. Notwithstanding section 16.505 (4) (b) of the statutes, for employes who are eligible to receive compensation adjustments under section 230.12 (3) (e) of the statutes, the board of regents of the University of Wisconsin System may use moneys appropriated under section 20.285 (1) (im) of the statutes to pay for the compensation adjustments approved under section 230.12 (3) (e) of the statutes for the 1999–2001 fiscal biennium, but only up to an amount that equals the difference between the amount that the University of Wisconsin System, under section 20.928 (1) of the statutes, certifies is needed under section 20.865 (1) (ci), (d), (ic) and (j) of the statutes to fully fund the compensation adjustments and the amount that the secretary of administration determines is required under section 20.865 (1) (ci), (d), (ic) and (j) of the statutes to pay for the compensation adjustments.

(3x) AQUACULTURE DEMONSTRATION FACILITY. The board of regents of the University of Wisconsin System shall submit to the joint committee on finance for its approval a plan for the construction and operation of the aquaculture demonstration facility authorized under SECTION 9107 (1) (i) 3. of this act that includes all of the following:

(a) A description of the physical characteristics of the facility.

(b) The facility's functions.

(c) How and by whom the facility's functions will be carried out.

(d) The number of persons necessary to staff the facility.

(e) The facility's estimated, annual operating cost.

**SECTION 9155. Nonstatutory provisions; veterans affairs.**

(2e) STUDY AND REPORT ON HEALTH CARE AID GRANT PROGRAM. The department of veterans affairs shall review the health care aid grant program and examine program modifications that could restrain the expenditure growth of the program. No later than December 31, 1999, the department shall submit a report presenting the results of the review and examination, including any program changes that the department believes should be made in the program, to the joint committee on finance.

**SECTION 9156. Nonstatutory provisions; World Dairy Center Authority.**

**SECTION 9157. Nonstatutory provisions; workforce development.**

(1) COMMUNITY YOUTH GRANT. Notwithstanding section 49.175 (1) (vL) of the statutes, as created by this act, the following organizations shall receive the following grant amounts from the moneys allocated under section 49.175 (1) (vL) of the statutes, as created by this act, without participating in a competitive process:

(a) The Wisconsin chapters of the Boys and Girls Clubs of America, $1,300,000 in each fiscal year of the 1999–2001 biennium.

(b) The Silver Spring Neighborhood Association, $75,000 in each fiscal year of the 1999–2001 biennium.

(c) The Safe and Sound initiative in Milwaukee, $1,000,000 in fiscal year 1999–2000 and $1,500,000 in fiscal year 2000–2001.

(d) Wisconsin Good Samaritan Project, Inc., $125,000 in each fiscal year of the 1999–2001 biennium.

(e) The Youth Leadership Academy, Inc., and the United Community Center, $500,000 in each fiscal year of the 1999–2001 biennium.

(f) The Milwaukee Passports for Youth Program, $150,000 in each fiscal year of the 1999–2001 biennium.

(2) GOVERNOR'S WORK–BASED LEARNING BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of workforce development primarily related to the functions of the division of connecting education and work, as determined by the secretary of administration, shall become the assets and liabilities of the governor's work–based learning board.

(b) *Employe transfers.* On the effective date of this paragraph, all positions in the department of workforce development that are primarily related to the division of connecting education and work and the incumbent employes holding those positions, as determined by the secretary of administration, are transferred to the governor's work–based learning board.

(c) *Employe status.* Employes transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the governor's work–based learning board that they enjoyed in the division of connecting education and work in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of workforce development that is primarily related to the functions of the division of connecting education and work, as determined by the secretary of administration, is transferred to the governor's work–based learning board.

(e) *Pending matters.* Any matter pending with the department of workforce development on the effective date of this paragraph that is primarily related to the

division of connecting education and work, as determined by the secretary of administration, is transferred to the governor's work–based learning board. All materials submitted to or actions taken by the department of workforce development with respect to the pending matter are considered as having been submitted to or taken by the governor's work–based learning board.

(f) *Contracts.* All contracts entered into by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the functions of the division of connecting education and work, as determined by the secretary of administration, remain in effect and are transferred to the governor's work–based learning board. The governor's work–based learning board shall carry out any obligations under those contracts unless modified or rescinded by the governor's work–based learning board to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the division of connecting education and work remain in effect until their specified expiration date or until amended or repealed by the governor's work–based learning board. All orders issued by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the division of connecting education and work remain in effect until their specified expiration date or until modified or rescinded by the governor's work–based learning board.

(2c) TERMINOLOGY IN REQUEST FOR PROPOSALS. The department of workforce development shall amend its request for proposals for administration of Wisconsin works for the period beginning January 1, 2000, and ending December 31, 2001, to do all of the following:

(a) *Definition of "entered employment transaction".* Define the term "entered employment transaction" under the job retention performance criterion.

(b) *Full and appropriate engagement.* Modify the "full and appropriate engagement" criterion by doing all of the following:

1. Specifying that "full and appropriate engagement" with respect to an individual who is required to participate in the food stamp employment and training program means engagement in required activities for an amount of time equal to the individual's household's monthly food stamp benefit divided by the minimum wage.

2. Eliminating the provision that specifies that "full and appropriate engagement" with respect to participants in Wisconsin works employment positions means engagement in appropriate activities for at least 30 hours per week.

3. Clarifying that, in 2–parent families who are participants in Wisconsin works, the requirement that one parent work at least 35 hours per week and that the combined work hours of both parents be at least 55 hours per week applies only with respect to 2–parent families that receive federally funded child care and only if the 2nd parent in the family is not disabled or caring for a severely disabled child.

(2m) PARTIAL COMMUNITY SERVICE JOBS. Not later than the first day of the 3rd month beginning after the effective date of this subsection, the department of workforce development shall ensure that all Wisconsin works agencies are fully equipped to implement the prorated benefits specified in section 49.148 (1) (b) 1m. of the statutes, as created by this act.

(2n) REORGANIZATION OF DIVISION OF VOCATIONAL REHABILITATION. If, within the 1999–2001 fiscal biennium, the division of vocational rehabilitation submits to the secretary of workforce development a plan to reorganize the division, the secretary may not approve the plan unless the plan includes provisions to reduce supervisory

staff, convert vacant supervisor positions to rehabilitation counselor positions for regions with high caseloads, and convert program assistant supervisor positions to support positions to provide additional support for rehabilitation counselors.

(2p) ADMINISTRATION OF MEDICAL ASSISTANCE. On the effective date of this subsection, those portions of any contract entered into by the department of workforce development that relate to the administration of medical assistance, that are in effect on the effective date of this subsection, remain in effect and are transferred to the department of health and family services. The department of health and family services shall carry out any contractual obligations that relate to medical assistance under those contracts until the contracts expire or are modified or rescinded to the extent permitted under the contracts.

(2xt) TRANSITION TO FEDERAL WORKFORCE INVESTMENT ACT OF 1998.

(a) *Council on workforce investment.*

1. 'Functions.' During the period beginning on the effective date of this subdivision and ending on June 30, 2000, all functions of the governor's council on workforce excellence under the federal Job Training Partnership Act, 29 USC 1501 to 1798, shall continue as the functions of the council on workforce investment established under 29 USC 2821.

2. 'Members.' All members of the governor's council on workforce excellence who are serving in that capacity on the day before the effective date of this subdivision shall continue that service as members of the council on workforce investment established under 29 USC 2821, unless the governor appoints members to replace those members.

(b) *Local workforce development boards.*

1. 'Functions.' During the period beginning on the effective date of this subdivision and ending on June 30, 2000, all functions of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 shall continue as the functions of the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831.

2. 'Members.' All members of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 who are serving in that capacity on the day before the effective date of this subdivision shall continue that service as members of the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831, unless the governor appoints members to replace those members.

3. 'Assets and liabilities.' On the effective date of this subdivision, the assets and liabilities of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 shall become the assets and liabilities of the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831.

4. 'Tangible personal property.' On the effective date of this subdivision, all tangible personal property of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 is transferred to the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831.

5. 'Pending matters.' Any matter pending with a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 is transferred to the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831. All materials submitted to or actions taken by that private industry council with respect to a pending matter are considered as having been submitted to or taken by that local workforce development board.

6. 'Contracts.' All contracts entered into by a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 that are in effect on the effective date of this subdivision remain in effect and are transferred to the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831. That local workforce development board shall carry out any obligations under such a contract unless the contract is modified or rescinded by the local workforce development board to the extent allowed under the contract.

(3e) UNIFIED PROGRAM ELIGIBILITY. The department of workforce development, in coordination with the departments of health and family services and public instruction, shall develop a proposal and implementation plan for a simplified and unified application process for medical assistance under subchapter IV of chapter 49 of the statutes, badger care under section 49.665 of the statutes, the food stamp program under 7 USC 2011 to 2036, the school lunch program under section 115.34 of the statutes and the supplemental food program for women, infants and children under section 253.06 of the statutes. Not later than July 1, 2000, the departments

shall submit the proposal and implementation plan to the joint committee on finance. If, within 14 days after receiving the proposal, the cochairpersons of the committee do not notify the departments that the committee has scheduled a meeting for the purpose of reviewing the proposal and implementation plan, the departments shall implement the proposal in accordance with the implementation plan. If, within 14 days after receiving the proposal and implementation plan, the cochairpersons of the committee notify the departments that a meeting has been scheduled for the purpose of reviewing the proposal and implementation plan, the departments may not implement the proposal except as approved by the committee.

(3x) DISTRIBUTION OF TECHNICAL PREPARATION FUNDING. From the appropriation under section 20.445 (7) (kb) of the statutes, as affected by this act, the governor's work–based learning board shall distribute $1,646,100 in fiscal year 1999–2000 to the technical preparation consortia established under section 118.34 (2) (b) of the statutes. Of that amount, the governor's work–based learning board shall distribute $70,000 to each of those consortia and shall distribute $526,100 to those consortia based on the number of 10th grade students in each consortium and the number of high schools located within the technical college district of each consortium.

**SECTION 9158. Nonstatutory provisions; other.**

(2m) EDUCATIONAL APPROVAL BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the higher educational aids board primarily related to the functions of the educational approval board, as determined by the secretary of administration, shall become the assets and liabilities of the department of veterans affairs.

(b) *Employe transfers.* All incumbent employes holding positions in the higher educational aids board performing duties primarily related to the functions of the

educational approval board, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of veterans affairs.

(c) *Employe status.* Employes transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of veterans affairs that they enjoyed in the higher educational aids board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the higher educational aids board that is primarily related to the functions of the educational approval board, as determined by the secretary of administration, is transferred to the department of veterans affairs.

(e) *Contracts.* On the effective date of this paragraph, all contracts entered into by the higher educational aids board that are in effect on the effective date of this paragraph and that are primarily related to the functions of the educational approval board, as determined by the secretary of administration, remain in effect and are transferred to the department of veterans affairs. The department of veterans affairs shall carry out any such contractual obligations until modified or rescinded by the department of veterans affairs to the extent allowed under the contract.

(7tw) SPECIAL TRANSFER AID REPORT.

(a) By May 1, 2000, the board of school directors of the school district operating under chapter 119 of the statutes shall submit a report to the joint committee on

finance for its approval under paragraph (b). The report shall include all of the following:

1. A strategy for achieving the percentages specified under section 121.85 (6) (am) of the statutes, as created by this act.

2. A facility plan specifying the neighborhood schools that are needed, the location of specialty schools and the estimated cost of the facility plan.

3. Other means by which the pupil capacity of neighborhood schools will be expanded, which could include remodeling and use of nontraditional facilities.

4. Specific plans for establishing neighborhood schools and replicating or relocating specialty schools throughout the school district in order to increase the number of pupils attending neighborhood schools.

5. A description of the alternative settings, which are in compliance, as defined in section 115.33 (1) (a) of the statutes, that will be used for educating pupils.

(b) The joint committee on finance shall review the report under paragraph (a) and may modify the report. The committee shall approve the report, and any modifications to the report, by September 1, 2000.

(c) Notwithstanding section 121.85 (6) (ar) of the statutes, as created by this act, the department of public instruction may not distribute any aid under section 121.85 (6) (ar) of the statutes, as created by this act, to the board of school directors of the school district operating under chapter 119 of the statutes in the 2000–01 fiscal year until the report is approved by the joint committee on finance under paragraph (b).

(7x) TRUST LANDS IN TAX INCREMENTAL DISTRICT; GOVERNOR'S CONCURRENCE.

(a) Except as provided in paragraph (b), the governor may not concur with the determination of the U.S. secretary of the interior, as described in 25 USC 2719 (b)

(1) (A), that a gaming establishment on land acquired by the secretary in trust for an Indian tribe after October 17, 1988, would not be detrimental to the surrounding area if the land on which the gaming establishment is located, or is proposed to be located, is in a tax incremental district.

(b) The prohibition on concurrence under paragraph (a) does not apply if the governor determines that appropriate arrangements have been made to ensure that the life of the tax incremental district described in paragraph (a) will not be extended for a greater number of years than the district would have existed if the land on which the gaming establishment is located, or is proposed to be located, were not part of the tax incremental district.

(8c) REPORT ON ENVIRONMENTAL LAW ENFORCEMENT TRAINING. The department of justice and the department of natural resources shall jointly review educational materials and training objectives prepared by the Midwest Environmental Enforcement Association. The review shall be conducted in consultation with instructors and other staff from law enforcement training academies. The department of justice and the department of natural resources shall jointly prepare a written report of their review and shall submit the report to the cochairpersons of the joint committee on finance for consideration at the 2nd quarterly meeting of the committee under section 13.10 of the statutes in the year 2000. The report shall include recommendations concerning all of the following:

(a) Using the Roll Call Law format of the department of justice to produce an environmental law enforcement training video for distribution to law enforcement agencies and law enforcement training academies.

(b) Developing an environmental law enforcement training seminar for presentation at regional training events.

(c) Producing an environmental law enforcement training presentation in optical disk or electronic format.

(d) Using techniques of distance education, as defined in section 24.60 (1g) of the statutes, to provide environmental law enforcement training.

(e) Funding any environmental law enforcement training proposals under paragraphs (a) to (d) using law enforcement training funds from the department of justice and fish and wildlife funds and environmental funds from the department of natural resources.

(8zo) ELECTED MEMBERS, CITIZEN MEMBERS OF LOCAL PLANNING COMMISSIONS.

(a) Notwithstanding section 62.23 (1) (c), 1997 stats., an alderperson, village board member or town board member who is elected by his or her colleagues in April 1999 to serve on a city, village or town planning commission under section 62.23 (1) (b), 1997 stats., may serve on the planning commission until April 2000.

(b) A citizen member of a city, village or town planning commission who is appointed under section 62.23 (1) (c), 1997 stats., may serve on the planning commission until the expiration of the term to which he or she was appointed.

**SECTION 9201. Appropriation changes; administration.**

(2b) RESERVE FOR CANCELED DRAFTS. On the effective date of this subsection, all moneys that are reserved under section 20.912 (2), 1997 stats., for the payment of canceled checks, share drafts and other drafts under section 20.912 (3), 1997 stats., shall revert to the fund from which the canceled checks, share drafts and other drafts were drawn and are available for appropriation.

(2f) FEDERAL INTEREST REIMBURSEMENT LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, no later than the first day of the 2nd month beginning after the effective date of this subsection, there is lapsed to the general fund from the

appropriation account under section 20.505 (1) (ma) of the statutes the amount determined by the secretary of administration under SECTION 9101 (19f) of this act.

(2m) TRANSFER OF FUNDS FOR ANTI–DRUG ENFORCEMENT; ADMINISTRATION. Immediately before the transfer under section 20.505 (6) (j) 13. of the statutes, as created by this act, to section 20.505 (6) (k) of the statutes, as affected by this act, there is transferred from the appropriation account under section 20.505 (6) (k) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to 80% of the unencumbered balance in the appropriation account under section 20.505 (6) (k), 1997 stats., at the end of the 1998–99 fiscal year.

(2n) TRANSFER OF FUNDS FOR ANTI–DRUG ENFORCEMENT; LOCAL ASSISTANCE. Immediately before the transfer under section 20.505 (6) (j) 3. of the statutes, as created by this act, to section 20.505 (6) (kp) of the statutes, as affected by this act, the following amounts shall be transferred from the appropriation account under section 20.505 (6) (kp) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 80% of the unencumbered balance in the appropriation account under section 20.505 (6) (g), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.505 (6) (g), 1997 stats., between July 1, 1999, and the effective date of this paragraph.

(2p) TRANSFER OF FUNDS FOR ANTI–DRUG ENFORCEMENT; STATE AGENCIES. Immediately before the transfer under section 20.505 (6) (j) 14. of the statutes, as created by this act, to section 20.505 (6) (kt) of the statutes, as affected by this act, there is transferred from the appropriation account under section 20.505 (6) (kt) of

the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to 80% of the unencumbered balance in the appropriation account under section 20.505 (6) (h), 1997 stats., at the end of the 1998–99 fiscal year.

(2x) MOBILE HOME PARKS, DEALERS AND SALESPERSONS. On the effective date of this subsection, the unencumbered balance in the appropriation account under section 20.505 (7) (jf) of the statutes, as affected by the acts of 1999, is transferred to the appropriation account under section 20.143 (3) (j) of the statutes, as affected by the acts of 1999.

**SECTION 9202. Appropriation changes; adolescent pregnancy prevention and pregnancy services board.**

**SECTION 9203. Appropriation changes; aging and long–term care board.**

**SECTION 9204. Appropriation changes; agriculture, trade and consumer protection.**

(1) PLANT PEST DETECTION. The unencumbered balance in the appropriation account under section 20.115 (7) (j), 1997 stats., is transferred to the appropriation account under section 20.115 (7) (ja) of the statutes, as created by this act.

(2) AGRICULTURAL CHEMICAL CLEANUP FUND TRANSFER. There is transferred from the agricultural chemical cleanup fund to the general fund $500,000 in fiscal year 1999–00 and $500,000 in fiscal year 2000–01.

**SECTION 9205. Appropriation changes; arts board.**

**SECTION 9206. Appropriation changes; boundary area commission, Minnesota–Wisconsin.**

**SECTION 9207. Appropriation changes; building commission.**

**SECTION 9208. Appropriation changes; child abuse and neglect prevention board.**

**SECTION 9209. Appropriation changes; circuit courts.**

**SECTION 9210. Appropriation changes; commerce.**

(1) PHYSICIAN AND HEALTH CARE PROVIDER LOAN ASSISTANCE PROGRAMS TRANSFER. On the effective date of this subsection, the unencumbered balance of the appropriation account of the department of commerce under section 20.143 (1) (f) of the statutes, as affected by this act, immediately before the effective date of this subsection is transferred to the appropriation account of the department of commerce under section 20.143 (1) (kr) of the statutes, as affected by this act.

**SECTION 9211. Appropriation changes; corrections.**

(2g) CORRECTIONAL OFFICER TRAINING. Immediately before the transfer under section 20.505 (6) (j) 6. of the statutes, as created by this act, to section 20.410 (1) (kp) of the statutes, as affected by this act, there is transferred from the appropriation account under section 20.410 (1) (kp) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to the moneys credited to the appropriation account under section 20.410 (1) (jp), 1997 stats., between July 1, 1999, and the effective date of this subsection.

**SECTION 9212. Appropriation changes; court of appeals.**

**SECTION 9213. Appropriation changes; educational communications board.**

**SECTION 9214. Appropriation changes; elections board.**

**SECTION 9215. Appropriation changes; employe trust funds.**

**SECTION 9216. Appropriation changes; employment relations commission.**

**SECTION 9217. Appropriation changes; employment relations department.**

**SECTION 9218. Appropriation changes; ethics board.**

**SECTION 9219. Appropriation changes; financial institutions.**

**SECTION 9221. Appropriation changes; governor.**

**SECTION 9222. Appropriation changes; Health and Educational Facilities Authority.**

**SECTION 9223. Appropriation changes; health and family services.**

(1) DRIVER IMPROVEMENT SURCHARGE LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 2000, there is lapsed to the general fund $850,000 from the appropriation account of the department of health and family services under section 20.435 (6) (hx) of the statutes, as affected by the acts of 1999.

(1w) STATE SHARE OF MEDICAL ASSISTANCE PAYMENTS. Notwithstanding section 20.435 (7) (bd) of the statutes, as affected by this act, the department of health and family services may transfer from the appropriation under section 20.435 (7) (bd) of the statutes, as affected by this act, to the appropriation under section 20.435 (4) (b) of the statutes, as affected by this act, not more than $2,279,000 in fiscal year 1999–00 and not more than $6,958,300 in fiscal year 2000–01 for the purpose of funding the state share of medical assistance benefits for individuals who convert from the community options program under section 46.27 (7) of the statutes, as affected by this act, to the medical assistance purchase plan under section 49.472 of the statutes, as created by this act.

(2g) LAPSE OF INCOME AUGMENTATION RECEIPTS.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, by no later than 30 days after the effective date of this paragraph, the secretary of administration shall lapse to the general fund $12,013,200 from the appropriation account to the department of health and family services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 1999.

(b) Notwithstanding section 20.001 (3) (c) of the statutes, by no later than June 30, 2001, the secretary of administration shall lapse to the general fund $6,100,000 from the appropriation account to the department of health and family services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 1999, in addition to the amount lapsed under paragraph (a).

**SECTION 9224. Appropriation changes; historical society.**

**SECTION 9225. Appropriation changes; Housing and Economic Development Authority.**

(1) TRANSFER FROM WISCONSIN DEVELOPMENT RESERVE FUND TO ENVIRONMENTAL FUND. On the effective date of this subsection, the executive secretary of the Wisconsin Housing and Economic Development Authority shall transfer from the Wisconsin development reserve fund under section 234.93 of the statutes, as affected by this act, to the secretary of administration for deposit in the environmental fund $4,000,000 that was appropriated to the Wisconsin development reserve fund under the appropriation to the Wisconsin Housing and Economic Development Authority under section 20.490 (5) (t), 1997 stats.

**SECTION 9226. Appropriation changes; insurance.**

**SECTION 9227. Appropriation changes; investment board.**

**SECTION 9228. Appropriation changes; joint committee on finance.**

**SECTION 9229. Appropriation changes; judicial commission.**

**SECTION 9230. Appropriation changes; justice.**

(1) COUNTY–TRIBAL LAW ENFORCEMENT PROGRAMS. The unencumbered balance in the appropriation account under section 20.455 (2) (hm), 1997 stats., is transferred to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act.

(2m) PENALTY ASSESSMENT RECEIPTS; IMMEDIATE TRANSFER. There is transferred from the appropriation account under section 20.455 (2) (i) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to 90% of the unencumbered balance in the appropriation account under section 20.455 (2) (i), 1997 stats., at the end of the 1998–99 fiscal year.

(3m) PENALTY ASSESSMENT RECEIPTS; 1999–2000 FISCAL YEAR TRANSFER. On June 30, 2000, 90% of the unencumbered balance of the appropriation account under section 20.455 (2) (i) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act.

**SECTION 9231. Appropriation changes; legislature.**

**SECTION 9232. Appropriation changes; lieutenant governor.**

**SECTION 9233. Appropriation changes; lower Wisconsin state riverway board.**

**SECTION 9234. Appropriation changes; Medical College of Wisconsin.**

**SECTION 9235. Appropriation changes; military affairs.**

(1) REGIONAL EMERGENCY RESPONSE TEAMS. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection there is lapsed to the general fund $303,900 from the appropriation account to the department of military affairs under section 20.465 (3) (dr) of the statutes, as affected by the acts of 1999.

**SECTION 9236. Appropriation changes; natural resources.**

(1) BEAVER CONTROL FUNDING. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the fish and wildlife account of the conservation fund $352,000 from the appropriation account under section 20.370 (1) (Lr) of the statutes.

(2) SPEARFISHING ENFORCEMENT. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the general fund, from the appropriation to the department of natural resources under section 20.370 (5) (ea) of the statutes, an amount equal to the unencumbered balance in that appropriation on the day before the effective date of this subsection.

(3fx) PARKS FUNDING.

(a) There is transferred $1,000,000 from the parks account of the conservation fund to the general fund.

(b) Notwithstanding section 13.101 (3) (a) of the statutes, if the department of natural resources requests the joint committee on finance to supplement the appropriation under section 20.370 (1) (mu) of the statutes, as affected by this act, for park maintenance projects and year–round park operating costs during the 1999–2001 fiscal biennium, the committee may supplement the appropriation up to $1,400,000 without a finding that an emergency exists before acting upon any such request.

**SECTION 9237. Appropriation changes; personnel commission.**

**SECTION 9238. Appropriation changes; public defender board.**

(1h) PUBLIC DEFENDER CONFERENCES AND TRAINING. Immediately before the transfer under section 20.505 (6) (j) 15. of the statutes, as created by this act, to section 20.550 (1) (kj) of the statutes, as affected by this act, the following amounts

shall be transferred from the appropriation account under section 20.550 (1) (kj) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 90% of the unencumbered balance in the appropriation account under section 20.550 (1) (j), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.550 (1) (j), 1997 stats., between July 1, 1999, and the effective date of this paragraph.

**SECTION 9239. Appropriation changes; public instruction.**

(1h) ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Immediately before the transfer under section 20.505 (6) (j) 4. of the statutes, as created by this act, to section 20.255 (1) (kd) of the statutes, as affected by this act, the following amounts shall be transferred from the appropriation account under section 20.255 (1) (kd) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 90% of the unencumbered balance in the appropriation account under section 20.255 (1) (hr), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.255 (1) (hr), 1997 stats., between July 1, 1999, and the effective date of this paragraph.

(2h) AID FOR ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Immediately before the transfer under section 20.505 (6) (j) 5. of the statutes, as created by this act, to section 20.255 (2) (kd) of the statutes, as affected by this act, the following amounts shall be transferred from the appropriation account under section 20.255

(2) (kd) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 90% of the unencumbered balance in the appropriation account under section 20.255 (2) (g), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.255 (2) (g), 1997 stats., between July 1, 1999, and the effective date of this paragraph.

**SECTION 9240. Appropriation changes; public lands, board of commissioners of.**

**SECTION 9241. Appropriation changes; public service commission.**

(1d) TRANSFER TO DEPARTMENT OF PUBLIC INSTRUCTION. On the effective date of this subsection, there is transferred $43,500 from the appropriation to the public service commission under section 20.155 (1) (q) of the statutes, as affected by the acts of 1999, to the appropriation to the department of public instruction under section 20.255 (1) (ke) of the statutes, as affected by the acts of 1999. On July 1, 2000, there is transferred $45,500 from the appropriation to the public service commission under section 20.155 (1) (q) of the statutes, as affected by the acts of 1999, to the appropriation to the department of public instruction under section 20.255 (1) (ke) of the statutes, as affected by the acts of 1999.

**SECTION 9242. Appropriation changes; regulation and licensing.**

**SECTION 9243. Appropriation changes; revenue.**

(1) INVESTMENT AND LOCAL IMPACT FUND. There is transferred from the investment and local impact fund to the appropriation account under section 20.566 (7) (g) of the statutes, as affected by the acts of 1999, an amount equal to the amount

expended from the appropriation account under section 20.566 (7) (g) of the statutes during fiscal year 1998–99.

**SECTION 9244. Appropriation changes; secretary of state.**

**SECTION 9245. Appropriation changes; state fair park board.**

**SECTION 9246. Appropriation changes; supreme court.**

**SECTION 9247. Appropriation changes; technical college system.**

**SECTION 9248. Appropriation changes; technology for educational achievement in Wisconsin board.**

**SECTION 9249. Appropriation changes; tourism.**

**SECTION 9250. Appropriation changes; transportation.**

(1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM TRANSFERS.

(a) On July 31, 1999, or on the 30th day after the effective date of this paragraph, whichever is later, there is transferred from the appropriation account to the department of transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $68,700.

(b) On July 31, 1999, or on the 30th day after the effective date of this paragraph, whichever is later, there is transferred from the appropriation account to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $32,400.

(c) On July 31, 2000, there is transferred from the appropriation account to the department of transportation under section 20.395 (5) (dq) of the statutes, as affected

by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $68,700.

(d) On July 31, 2000, there is transferred from the appropriation account to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $32,400.

(2) HAZARDOUS MATERIALS TRANSPORTATION REGISTRATION FEES. Notwithstanding section 20.002 (3m) of the statutes, on the effective date of this subsection, there is lapsed to the transportation fund, from the appropriation account to the department of transportation under section 20.395 (4) (bh) of the statutes, as affected by this act, an amount equal to the unencumbered balance in that appropriation account on the day before the effective date of this subsection.

**SECTION 9251. Appropriation changes; treasurer.**

**SECTION 9252. Appropriation changes; University of Wisconsin Hospitals and Clinics Authority.**

**SECTION 9253. Appropriation changes; University of Wisconsin Hospitals and Clinics Board.**

**SECTION 9254. Appropriation changes; University of Wisconsin System.**

**SECTION 9255. Appropriation changes; veterans affairs.**

**SECTION 9256. Appropriation changes; World Dairy Center Authority.**

**SECTION 9257. Appropriation changes; workforce development.**

(2) SCHOOL–TO–WORK PROGRAMS. The unencumbered balance in the appropriation account under section 20.445 (1) (kb) of the statutes, as affected by this act, immediately before the effective date of this subsection is transferred to the appropriation account under section 20.445 (7) (kb) of the statutes, as affected by this act.

(2g) EARNED INCOME TAX CREDIT. On the effective date of this subsection there is transferred $58,000,000 from the appropriation account under section 20.445 (3) (md) of the statutes, as affected by this act, to the general fund to reimburse the general fund for earned income tax credits paid for the taxable year that began on January 1, 1998.

**SECTION 9258. Appropriation changes; other.**

(1d) TRANSFERS TO BUDGET STABILIZATION FUND.

(a) *Legislative fiscal bureau certifications.*

1. No later than January 31, 2000, the legislative fiscal bureau shall certify to the joint committee on finance the bureau's estimate of the 1999–2000 and 2000–01 general fund supported expenditures for general obligation debt service.

2. No later than January 31, 2001, the legislative fiscal bureau shall certify to the joint committee on finance the bureau's estimate of the 2000–01 general fund supported expenditures for general obligation debt service.

(b) *Joint committee on finance passive review.*

1. If the cochairpersons of the joint committee on finance do not notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 1. within 14 working days after the date of the certification, the secretary of administration shall direct that the transfers under paragraphs (c) and (d) be made on the basis of the estimated

expenditures certified by the legislative fiscal bureau. If, within 14 working days after the date of the certification, the cochairpersons of the committee notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 1., the secretary of administration shall make the transfers under paragraphs (c) and (d) only after the committee has notified the secretary of administration of the estimated expenditures approved by the committee, in which case the secretary of administration shall make the transfers required under paragraphs (c) and (d) on the basis of the estimated expenditures.

2. If the cochairpersons of the joint committee on finance do not notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 2. within 14 working days after the date of the certification, the secretary of administration shall direct that the transfers under paragraph (e) be made on the basis of the estimated expenditures certified by the legislative fiscal bureau. If, within 14 working days after the date of the certification, the cochairpersons of the committee notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 2., the secretary of administration shall make the transfers under paragraph (e) only after the committee has notified the secretary of administration of the estimated expenditures approved by the committee, in which case the secretary of administration shall make the transfers required under paragraph (e) on the basis of the estimated expenditures.

(c) *Transfers based on the 1999–2000 certification of the 1999–2000 expenditures for general obligation debt service.* If the estimated 1999–2000 general

fund supported expenditures for general obligation debt service, as certified by the legislative fiscal bureau or approved by the joint committee on finance as specified under paragraph (b) 1., are less than the amount of the estimated 1999–2000 expenditures in the schedule under section 20.005 (1) of the statutes, as shown by SECTION 171 of this act, the difference shall be transferred from the general fund to the budget stabilization fund no later than June 30, 2000.

(d) *Transfers based on the 1999–2000 certification of the 2000–01 expenditures for general obligation debt service.* If the estimated 2000–01 general fund supported expenditures for general obligation debt service, as certified by the legislative fiscal bureau or approved by the joint committee on finance as specified under paragraph (b) 1., are less than the amount of the estimated 2000–01 expenditures in the schedule under section 20.005 (1) of the statutes, as shown by SECTION 171 of this act, the difference shall be transferred from the general fund to the budget stabilization fund no later than June 30, 2001.

(e) *Transfers based on the 2000–01 certification of the 2000–01 expenditures for general obligation debt service.* If the estimated 2000–01 general fund supported expenditures for general obligation debt service, as certified by the legislative fiscal bureau or approved by the joint committee on finance as specified under paragraph (b) 2., are less than the amount of the estimated 2000–01 expenditures in the schedule under section 20.005 (1) of the statutes, as affected by any amendments to the schedule approved under section 20.004 (2) of the statutes, the difference shall be transferred from the general fund to the budget stabilization fund no later than June 30, 2001.

(1r) GENERAL FUND TRANSFER TO PROPERTY TAX RELIEF FUND. On June 30, 2000, $119,328,400 is transferred from the general fund to the property tax relief fund.

**SECTION 9301. Initial applicability; administration.**

**SECTION 9302. Initial applicability; adolescent pregnancy prevention and pregnancy services board.**

**SECTION 9303. Initial applicability; aging and long–term care board.**

**SECTION 9304. Initial applicability; agriculture, trade and consumer protection.**

(1) LICENSE FEES FOR VEHICLE SCALE OPERATORS. The treatment of section 98.16 (2) (b) of the statutes first applies to licenses issued on the effective date of this subsection.

(2) CONSUMER INFORMATION ASSESSMENTS. The treatment of sections 59.25 (3) (f) 2., 59.40 (2) (m), 66.119 (1) (b) 7. c. and d. and (c) and (3) (a), (b), (c) and (d), 66.12 (1) (b), 100.261, 778.02, 778.03, 778.06, 778.10, 778.105, 778.13, 778.18, 800.02 (2) (a) 8. and (3) (a) 5., 800.03 (3), 800.04 (2) (b) and (c), 800.09 (1) (intro.) and (a) and (2) (b), 800.10 (2) (with respect to consumer information assessments), 800.12 (2), 814.60 (2) (ai), 814.63 (3) (ai), 973.05 (1) and (2) and 973.07 of the statutes first applies to violations that occur on the effective date of this subsection.

**SECTION 9305. Initial applicability; arts board.**

**SECTION 9306. Initial applicability; boundary area commission, Minnesota–Wisconsin.**

**SECTION 9307. Initial applicability; building commission.**

(1x) LEASE/PURCHASE OF STATE BUILDINGS. The treatment of section 20.924 (1) (im) and (j) of the statutes first applies to contracts for the construction of any building, structure or facility, or portion thereof, for initial occupancy by the state that contain an option for the state to purchase the building, structure or facility

entered into, or extended, modified or renewed, on the effective date of this subsection.

**SECTION 9308. Initial applicability; child abuse and neglect prevention board.**

**SECTION 9309. Initial applicability; circuit courts.**

(1) LIABILITY OF CERTAIN SUBROGATED PLAINTIFFS. The treatment of sections 49.89 (2) and (3m) (bm), 803.03 (2) (b) and (bm) and 814.03 (3) of the statutes first applies to actions or claims commenced on the effective date of this subsection.

(1w) FEES FOR TERMINATION OF PARENTAL RIGHTS ACTIONS. The treatment of section 814.61 (1) (c) 4. of the statutes first applies to actions commenced on the effective date of this subsection.

(1x) FEES FOR ADOPTION ACTIONS. The treatment of section 814.61 (1) (c) 5. of the statutes first applies to actions commenced on the effective date of this subsection.

(3t) CUSTODY AND PHYSICAL PLACEMENT STUDY FEE. The treatment of section 814.615 (1) (a) 3. of the statutes first applies to studies ordered on the effective date of this subsection.

**SECTION 9310. Initial applicability; commerce.**

(1) DEVELOPMENT ZONES CREDITS FOR JOBS CREATED OR RETAINED. The treatment of sections 71.07 (2dx) (b) 4., 71.28 (1dx) (b) 4., 71.47 (1dx) (b) 4. and 560.785 (1) (b) (intro.), 1. and 2., (bm), (c) (intro.) and (e) of the statutes first applies to taxable years beginning on January 1, 2000.

(2) MAKING AN EXCEPTION RELATED TO THE DEFINITION OF FULL–TIME JOB. The treatment of section 560.785 (2) (c) of the statutes first applies to taxable years beginning on January 1, 2000.

(3x) REGISTRATION OF MOBILE HOMES. The treatment of section 101.9223 of the statutes first applies to mobile homes that are not registered by the department of transportation, or mobile homes the registration of which with the department of transportation expires, on July 1, 2000.

(3yt) RISK BASED ANALYSIS AND REIMBURSEMENT CHANGES TO PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The treatment of section 101.143 (2e) (c), (3) (cn), (cp), (cs) and (g) and (4) (c) 11. of the statutes first applies to a discharge with respect to which activities under section 101.143 (3) (c) 3. or (g) of the statutes are begun on the effective date of this subsection.

(3yu) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM DEDUCTIBLES. The treatment of section 101.143 (4) (d) 2. (intro.), (dg), (dm) 2. a. and c. and (ei) 2. of the statutes first applies to a person who submits a remedial action plan, that is acceptable to the department of commerce or the department of natural resources, on November 1, 1999.

(3yv) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM INTEREST REIMBURSEMENT. The treatment of section 101.143 (4) (c) 8. of the statutes first applies to an applicant whose loan is secured on November 1, 1999.

(3yvf) PETROLEUM STORAGE REMEDIAL ACTION FEE REIMBURSEMENT. The treatment of section 101.143 (4) (c) 11. of the statutes first applies to fees that the department of natural resources or the department of commerce charges on the effective date of this subsection.

(4x) PRIVATE SEWAGE SYSTEM REPLACEMENT OR REHABILITATION GRANT PROGRAM. The treatment of section 145.245 (4) (a) and (c), (4m) (a) to (c) and (d), (5) (a) 1. (by SECTION 2221m), 2. (by SECTION 2223m) and 3., (5m) (a), (7) (d) and (11m) (am), (b) and (c) of the statutes first applies to applications under section 145.245 (8) of the

statutes that are received by the department of commerce on the effective date of this subsection.

(5t) APPLICATIONS FOR SEWAGE SYSTEM GRANTS. The treatment of section 145.245 (5) (a) 1. (by SECTION 2220) and 2. (by SECTION 2222) and (c) 2., 3. and 4. of the statutes first applies to applications received by the department of commerce on February 1, 2000.

**SECTION 9311. Initial applicability; corrections.**

(1) CONTRACTS FOR DATA ENTRY OR TELEMARKETING SERVICES. The treatment of section 301.029 of the statutes first applies to contracts entered into or renewed by the department of corrections on the effective date of this subsection.

(3g) INELIGIBILITY FOR INTENSIVE SANCTIONS PROGRAM. The treatment of sections 301.048 (4) (a) and 973.032 (2) (b) of the statutes, the renumbering and amendment of section 301.048 (2) of the statutes and the creation of section 301.048 (2) (bm) of the statutes first apply to the placement of persons in or the sentencing of persons to the intensive sanctions program on the effective date of this subsection.

(4xt) CONSTRUCTION OF CORRECTIONAL FACILITIES BY PRIVATE PERSONS. The treatment of sections 20.924 (1) (i) and 301.19 of the statutes first applies to contracts for the construction of a correctional facility, or for the conversion of an existing building, structure or facility or portion thereof into a correctional facility entered into, or extended, modified or renewed, on the effective date of this subsection or, if such construction or conversion is commenced without a contract, the treatment of those sections first applies to such construction or conversion commenced on the effective date of this subsection.

**SECTION 9312. Initial applicability; court of appeals.**

**SECTION 9313. Initial applicability; educational communications board.**

**SECTION 9314. Initial applicability; elections board.**

**SECTION 9315. Initial applicability; employe trust funds.**

**SECTION 9316. Initial applicability; employment relations commission.**

**SECTION 9317. Initial applicability; employment relations department.**

**SECTION 9318. Initial applicability; ethics board.**

(1gg) IDENTIFICATION OF BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS. The treatment of section 13.67 (1) of the statutes first applies with respect to lobbying communications made on July 1, 2000.

(1gh) REPORTING CONCERNING BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS. The treatment of section 13.68 (1) (bn) of the statutes first applies with respect to the reporting period under section 13.62 (12r) of the statutes beginning on July 1, 2000.

**SECTION 9319. Initial applicability; financial institutions.**

**SECTION 9321. Initial applicability; governor.**

**SECTION 9322. Initial applicability; Health and Educational Facilities Authority.**

**SECTION 9323. Initial applicability; health and family services.**

(2) SUPERVISED RELEASE AND PERIODIC REEXAMINATION OF SEXUALLY VIOLENT PERSONS.

(ag) *Initial commitment orders.* The treatment of sections 980.06 (1) and (2) (a), (b) and (c) and 980.065 (1m) of the statutes first applies to initial commitment orders in cases in which judgment is entered under section 980.05 (5) of the statutes on the effective date of this paragraph.

(ah) *Interlocutory appeals.* The treatment of section 980.05 (6) of the statutes first applies to cases in which judgment is entered under section 980.05 (5) of the statutes on the effective date of this paragraph.

(b) *Periodic reexamination.* The treatment of section 980.07 (1) of the statutes (with respect to the determination to be made at the time of reexamination) first applies to examinations of a sexually violent person that occur on the effective date of this paragraph.

(bg) *Petitions for supervised release.* The treatment of section 980.08 (1) of the statutes first applies to persons committed under section 980.06 of the statutes, as affected by this act, in cases in which judgment is entered under section 980.05 (5) of the statutes on the effective date of this paragraph.

(bh) *Orders for supervised release.* The treatment of section 980.06 (2) (d) of the statutes (with respect to the duties of the department of health and family services under a supervised release order) first applies to orders for supervised release issued under section 980.08 of the statutes, as affected by this act, on the effective date of this paragraph.

(cg) *Revocation of supervised release.* The treatment of section 980.06 (2) (d) of the statutes (with respect to time for submitting a statement showing probable cause for a detention and a petition for revocation of supervised release) first applies to detentions commencing on the effective date of this paragraph.

(ch) *Victim notification.* The treatment of sections 950.04 (1v) (xm) and 980.11 (2) (intro.) of the statutes first applies to the placement of a person on supervised release under section 980.08 of the statutes, as affected by this act, on the effective date of this paragraph.

(3) COMMUNITY–BASED RESIDENTIAL FACILITY CLIENT REFERRALS. The treatment of section 50.035 (7) (c) of the statutes first applies to applications for admission to a community–based residential facility made on the effective date of this subsection.

(4) ELIGIBILITY FOR COVERAGE UNDER THE HEALTH INSURANCE RISK–SHARING PLAN. The renumbering and amendment of section 149.12 (2) (d) of the statutes and the creation of section 149.12 (2) (d) 2. of the statutes (with respect to a person who has coverage under the health insurance risk–sharing plan when he or she attains age 65) first apply to persons who attain age 65 on the effective date of this subsection.

(9) TRANSFER OF RADIATION INSTALLATION. The treatment of section 254.35 (2) of the statutes first applies to transfers of radiation installations that are made 16 days after the effective date of this subsection.

(10) FORFEITURES FOR RADIATION VIOLATIONS. The treatment of section 254.45 of the statutes first applies to violations committed on the effective date of this subsection.

(11) ESTATE RECOVERY.

(a) The treatment of section 49.496 (2) (title), (a), (b) 3., (c) 1., (f) 3. and 4. and (h) of the statutes first applies with respect to an individual who received medical assistance on the effective date of this paragraph.

(b) The treatment of section 49.496 (3) (a) 2. d. of the statutes first applies with respect to services provided under section 49.46 (2) (b) 6. j. of the statutes on the effective date of this paragraph.

(11m) CONSOLIDATED CONTRACTS. The treatment of section 46.036 (8) of the statutes first applies to contracts entered into on the effective date of this subsection.

(11t) LEAD SCREENING PERFORMANCE STANDARDS. The treatment of section 49.45 (22) of the statutes first applies to contracts that take effect on January 1, 2000.

(12g) SPECIAL NEEDS ADOPTION. The treatment of section 48.833 (3) of the statutes first applies to children who are placed for adoption on the effective date of this subsection.

(12h) PERMANENCY PLANS. The treatment of section 48.38 (4) (dm) of the statutes, the amendment of section 48.38 (4) (d) of the statutes and the creation of section 48.38 (4) (d) 1m. of the statutes first apply to permanency plans filed on the effective date of this subsection.

(12z) HEALTH INSURANCE RISK–SHARING PLAN.

(a) The treatment of sections 149.14 (2) (a), (3) (d), (4) (n), (4c) (b), (5) (title) and (e) and (8) (a) and 149.17 (2) of the statutes first applies to policies issued or renewed on January 1, 2000.

(b) The treatment of section 149.145 of the statutes (as it relates to requiring board approval of the program budget) first applies to the program budget established for fiscal year 2000–01.

(c) The treatment of section 149.16 (5) of the statutes first applies to contracts entered into on the effective date of this paragraph.

**SECTION 9324. Initial applicability; historical society.**

**SECTION 9325. Initial applicability; Housing and Economic Development Authority.**

(1g) FARM ASSETS REINVESTMENT MANAGEMENT LOAN GUARANTEES. The treatment of section 234.91 (5) (a) of the statutes first applies to loans, the collection of which is guaranteed on the effective date of this subsection.

**SECTION 9326. Initial applicability; insurance.**

**SECTION 9327. Initial applicability; investment board.**

**SECTION 9328. Initial applicability; joint committee on finance.**

**SECTION 9329. Initial applicability; judicial commission.**

**SECTION 9330. Initial applicability; justice.**

**SECTION 9331. Initial applicability; legislature.**

**SECTION 9332. Initial applicability; lieutenant governor.**

**SECTION 9333. Initial applicability; lower Wisconsin state riverway board.**

**SECTION 9334. Initial applicability; Medical College of Wisconsin.**

**SECTION 9335. Initial applicability; military affairs.**

**SECTION 9336. Initial applicability; natural resources.**

(1) WILD ANIMAL FARM LICENSE FEES AND SURCHARGES. The treatment of section 29.563 (9) (a) 2., 3., 5. and 10., (b) and (c) of the statutes first applies to licenses issued on the effective date of this subsection.

(1k) HAZARDOUS WASTE GENERATOR FEE. The treatment of section 289.67 (2) (b) 1. and 2. of the statutes first applies to fees assessed on May 1, 2000.

(2) BONUS DEER HUNTING PERMITS. The treatment of sections 29.181 (2m), 29.559 (1r) and 29.563 (14) (c) 4. of the statutes first applies to bonus deer hunting permits issued on the effective date of this subsection.

(4) SNOWMOBILE TRAIL USE STICKERS. The treatment of section 350.12 (3j) (b) of the statutes first applies to snowmobile trail use stickers issued on the effective date of this subsection.

(5) BOAT CERTIFICATION AND REGISTRATION PERIODS. The treatment of section 30.52 (2) and (3) (b), (c), (d), (e), (f), (fm), (h), (i) and (im) of the statutes first applies to certificates of number or registration issued or renewed on the effective date of this subsection.

(9c) WILD TURKEY HUNTING LICENSES. The treatment of section 29.164 (3) (ci) and (cm) of the statutes first applies to wild turkey hunting licenses issued on the effective date of this subsection.

(9d) TIMBER SALES. The treatment of sections 28.05 (2), 28.11 (6) (b) 1. and 28.22 of the statutes first applies to timber sales occurring on the effective date of this subsection.

(9t) BOAT REGISTRATION SURCHARGES. The treatment of section 30.52 (3e) of the statutes first applies to applications for the issuance or renewal of a certificate of number or registration made on the effective date of this subsection.

**SECTION 9337. Initial applicability; personnel commission.**

**SECTION 9338. Initial applicability; public defender board.**

**SECTION 9339. Initial applicability; public instruction.**

(2) INTERDISTRICT TRANSFER PUPILS AND REVENUE LIMITS. The treatment of sections 121.004 (7) (a) (intro.) and (f), 121.05 (1) (a) 11. and 121.85 (6) (a) 2., (b) 1. and (f) of the statutes first applies to the distribution of state aid in, and to the revenue limits for, the 2000–01 school year.

(3) DISTRIBUTION OF SCHOOL AID AND REVENUE LIMITS. The treatment of sections 121.07 (7) (b), 121.105 (2) (a) 1., 121.90 (2) (intro.), 121.905 (3) (a) 1., 121.91 (3) (d) and 121.92 (title), (1) and (2) (a), (b) and (e) of the statutes, the renumbering and amendment of section 121.905 (4) of the statutes and the creation of section 121.905 (4) (b) 2. of the statutes first apply to the distribution of school aid in, and to the revenue limits for, the 1999–2000 school year.

(4) HANDICAPPED EDUCATION AID REIMBURSEMENT.

(a) The treatment of sections 115.88 (1m) (a) and (b) and (2), 115.882, 115.93 (1) and (2) and 118.255 (4) of the statutes first applies to state aid paid in the 1999–2000 school year.

(b) The treatment of section 115.88 (1m) (am) and (2m) of the statutes first applies to state aid paid in the 2000–01 school year.

(5) STATE AID CALCULATION. The treatment of sections 121.05 (1) (a) 4. and 9. and 121.07 (1) (a) of the statutes first applies to state aid distributed in the 1999–2000 school year.

(7c) MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 119.23 (2) (a) 1. of the statutes first applies to pupils who attend a private school under section 119.23 of the statutes in the 1998–99 school year.

(7h) STATE AID; MILWAUKEE PARENTAL CHOICE PROGRAM AND MILWAUKEE CHARTER SCHOOLS. The treatment of section 121.08 (4) of the statutes first applies to state aid distributed in the 1999–2000 school year.

**SECTION 9340. Initial applicability; public lands, board of commissioners of.**

**SECTION 9341. Initial applicability; public service commission.**

**SECTION 9342. Initial applicability; regulation and licensing.**

(2) HEARING INSTRUMENT SPECIALIST LICENSES. The treatment of sections 440.08 (2) (a) 38. and 459.09 of the statutes first applies to hearing instrument specialist licenses that expire on February 1, 2000.

**SECTION 9343. Initial applicability; revenue.**

(1) HOMESTEAD CREDIT, WISCONSIN WORKS. The treatment of section 71.54 (2) (a) (intro.) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect

after July 31, the treatment of section 71.54 (2) (a) (intro.) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(2) DEVELOPMENT ZONES JOBS CREDIT, CERTIFICATION REQUIREMENT. The treatment of sections 71.07 (2dj) (am) 3., 71.28 (1dj) (am) 3. and 71.47 (1dj) (am) 3. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of sections 71.07 (2dj) (am) 3., 71.28 (1dj) (am) 3. and 71.47 (1dj) (am) 3. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(2g) INCOME AND FRANCHISE TAX RETURN; ENDANGERED RESOURCES DONATION. The treatment of sections 20.370 (1) (fs), 20.566 (1) (hp), 25.29 (1) (a) and 71.30 (10) of the statutes (as it relates to an endangered resources donation designation on a corporate income and franchise tax return) first applies to taxable years beginning on January 1, 2000.

(3) TUITION EXPENSE DEDUCTION, LIMITATIONS AND PRORATION. The treatment of section 71.05 (6) (b) 28. f. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.05 (6) (b) 28. f. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(4) ITEMIZED DEDUCTION CREDIT, EDUCATIONAL EXPENSES. The treatment of section 71.07 (5) (a) 8. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.07 (5) (a) 8. of the statutes first applies

to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(5) TREATMENT OF DEDUCTIONS FOR REPAYMENTS OF SUPPLEMENTAL UNEMPLOYMENT COMPENSATION FOR NONRESIDENTS. The treatment of section 71.05 (6) (a) 12. of the statutes (as it relates to repayments of supplemental unemployment compensation) first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.05 (6) (a) 12. of the statutes (as it relates to repayments of supplemental unemployment compensation) first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(6) REFUND TO INDIAN TRIBES OF CIGARETTE TAXES. The treatment of sections 139.323 (intro.) and 139.325 of the statutes first applies to taxes imposed on the first day of the 2nd month commencing after the effective date of this subsection.

(7) CHANGE OF TOBACCO PRODUCTS TAX TO EXCISE TAX. The treatment of sections 139.76 (1) and (2), 139.803, 139.805 and 139.82 (8) of the statutes first applies to claims for refunds of tobacco product taxes filed and to tobacco product taxes imposed on the first day of the 2nd month commencing after the effective date of this subsection.

(8) SALES AND USE TAX LATE FILING FEE. The treatment of section 77.60 (2) (intro.) of the statutes first applies to returns that are filed for periods beginning after September 30, 1999.

(9) INCOME TAX REFUNDS; FORMERLY MARRIED PERSONS. The treatment of section 71.75 (8) of the statutes first applies to a judgment of divorce that is entered on the effective date of this subsection.

(13) TRANSFER OF CONTAMINATED LANDS. The treatment of section 75.17 of the statutes first applies to land for which a tax certificate is issued on the effective date of this subsection.

(13m) CHANGES TO METHOD OF TAXING CERTAIN TRUSTS. The treatment of sections 71.02 (1) and 71.14 (3) (intro.), (a) and (b) and (3m) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(14) CHARGE–BACK OF CANCELED DELINQUENT PROPERTY TAXES. The treatment of section 75.105 (3) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 75.105 (3) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(16) COLLECTED TAXES RETAINED BY THE STATE. The treatment sections 20.835 (4) (g) and 77.76 (3) and (4) of the statutes first applies to the distribution of county sales tax revenues to counties on the first day of the first month beginning after publication.

(20) MODIFICATION OF THE INDIVIDUAL INCOME TAX SYSTEM. The treatment of sections 71.01 (16) and 71.07 (5) (a) 7. of the statutes first applies to taxable years beginning on January 1, 2000.

(20tx) INCOME TAX FILING THRESHOLDS. The treatment of section 71.03 (2) (a) 1. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect on or after October 1 this act first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(22c) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. The treatment of sections 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a), 71.28 (1dy), 71.30 (3) (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1) (eon) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect except that if this subsection takes effect after July 31 the treatment of sections 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a), 71.28 (1dy), 71.30 (3) (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1) (eon) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(22d) DEVELOPMENT ZONES CREDIT. The treatment of sections 71.07 (2dx) (b) (intro.), 71.28 (1dx) (b) (intro.) and 71.47 (1dx) (b) (intro.) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect except that if this subsection takes effect after July 31 the treatment of sections 71.07 (2dx) (b) (intro.), 71.28 (1dx) (b) (intro.) and 71.47 (1dx) (b) (intro.) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(22f) TRANSITIONAL ADJUSTMENT FEE CREDIT. The treatment of section 76.91 (1m) of the statutes first applies retroactively to transitional adjustment fees paid in May 1998.

(22t) PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. The treatment of sections 71.22 (11), 71.23 (1), 71.25 (15), 71.43 (1) and 71.45 (6) of the statutes first applies to taxable years beginning on January 1, 1999.

(22tm) PER ACRE VALUE GUIDELINES. The treatment of section 73.03 (2a) of the statutes first applies to per acre value guidelines related to the property tax assessments as of January 1, 2000.

(23c) AD VALOREM TAXPAYERS, COMPUTER EXEMPTIONS. The treatment of sections 76.025 (1) and 76.03 (1) of the statutes first applies to the property tax assessments as of January 1, 2000.

(23v) DEPRECIATION DEDUCTIONS. The treatment of sections 71.01 (7r), 71.26 (3) (y), 71.365 (1m) and 71.45 (2) (a) 13. of the statutes first applies to property placed in service in taxable years beginning on January 1, 1999.

(23w) DRY CLEANING FEES. The treatment of section 77.9961 (1) and (2) of the statutes, the renumbering of section 77.9961 (4) of the statutes and the creation of section 77.9961 (4) (b) of the statutes (as it relates to instalment payments) first apply to a license fee instalment payment that is due on April 25, 2000.

(23x) INTERNAL REVENUE CODE. The treatment of sections 71.01 (6) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n), 71.22 (4) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n) and (4m) (c), (d), (e), (f), (g), (h), (i), (j), (k) and (L), 71.26 (2) (b) 5., 6., 7., 8., 9., 10., 11., 12., 13. and 14., 71.34 (1g) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n) and 71.42 (2) (d), (e), (f), (g), (h), (i), (j), (k), (L) and (m) of the statutes first applies on the dates that the change to the Internal Revenue Code made by Public Laws 105–178, 105–206 and 105–277 applies for federal income tax purposes.

**SECTION 9344. Initial applicability; secretary of state.**

**SECTION 9345. Initial applicability; state fair park board.**

**SECTION 9346. Initial applicability; supreme court.**

**SECTION 9347. Initial applicability; technical college system.**

(1) STATEWIDE GUIDE. The treatment of sections 20.292 (1) (d) and 38.28 (2) (b) 5. of the statutes first applies to state aid paid in the 1999–2000 fiscal year.

**SECTION 9348. Initial applicability; technology for educational achievement in Wisconsin board.**

**SECTION 9349. Initial applicability; tourism.**

**SECTION 9350. Initial applicability; transportation.**

(1) CAMPING TRAILER REGISTRATION FEES. The treatment of section 341.25 (1) (gd) and (i) of the statutes first applies to applications that are submitted to the department of transportation on January 1, 2000.

(2) LATE PAYMENT FEES FOR TELEPHONIC MOTOR TRUCK REGISTRATION. The treatment of section 341.19 (1) (b) of the statutes first applies to fees owed for using the telephone call–in procedure under section 341.19 of the statutes on the effective date of this subsection.

(2m) TRANSPORTATION PROJECT COMMISSION REVIEW. The treatment of section 13.489 (1m) (e) of the statutes first applies to major highway projects for which the department of transportation commences preliminary engineering or design work or studies on April 1, 2000.

(4) SERVICE–OF–PROCESS FEES. The treatment of section 345.09 (2) of the statutes first applies to processes and notices served upon the secretary of transportation under section 345.09 (1) of the statutes on the effective date of this subsection.

(5) DRIVING SKILLS TEST FEE. The treatment of section 343.21 (2) of the statutes first applies to applications for an operator's license or endorsement submitted to the department of transportation on October 1, 1999.

(8) GENERAL TRANSPORTATION AIDS; TRAFFIC POLICE COSTS. The treatment of section 86.303 (6) (c) 4. and (cm) of the statutes first applies to aids payable in calendar year 2000.

(9) URBAN MASS TRANSIT OPERATING ASSISTANCE PROGRAM. The treatment of section 85.20 (4m) (a) (intro.) of the statutes first applies to aid allocations or aid contracts for urban mass transit system operating expenses for calendar year 2000.

**SECTION 9351. Initial applicability; treasurer.**

**SECTION 9352. Initial applicability; University of Wisconsin Hospitals and Clinics Authority.**

**SECTION 9353. Initial applicability; University of Wisconsin Hospitals and Clinics Board.**

**SECTION 9354. Initial applicability; University of Wisconsin System.**

**SECTION 9355. Initial applicability; veterans affairs.**

(1) MORTGAGE LOANS. The treatment of section 45.76 (1) (c) of the statutes first applies to applications received by the county veterans' service officer on the effective date of this subsection.

**SECTION 9356. Initial applicability; World Dairy Center Authority.**

**SECTION 9357. Initial applicability; workforce development.**

(3) ASSIGNMENT OF RECEIVING AND DISBURSING FEES. The treatment of sections 767.265 (1), (2h) (by SECTION 3059) and (2r) and 767.29 (1) (d) (intro.), 1. and 2. of the statutes and the amendment of section 767.265 (1m) of the statutes first apply to annual receiving and disbursing fees that are ordered on the effective date of this subsection.

(4) INCOME CALCULATION. The treatment of sections 49.145 (3) (b) 2. and 49.155 (1m) (b) 3. and (c) 1g. and 1h., the renumbering and amendment of section 49.155

(1m) (c) 1. of the statutes and the creation of section 49.155 (1m) 1. a. and b. of the statutes first applies to the calculation of the income of a person who applies for the Wisconsin works program on the effective date of this subsection.

(5) FINANCIAL PLANNING SERVICES. The treatment of section 49.143 (2) (cr) of the statutes first applies to contracts entered into or renewed on the effective date of this subsection.

(6) BASIC EDUCATION UNDER WISCONSIN WORKS. The treatment of section 49.147 (1m) of the statutes first applies to contracts to administer Wisconsin works that are entered into or renewed on the effective date of this subsection.

(6d) PERFORMANCE BONUSES. The treatment of section 49.143 (3g) of the statutes first applies with respect to contracts to administer Wisconsin works that have a term beginning on January 1, 2002.

(7g) STATEWIDE ADVISORY GROUP. The treatment of section 49.143 (1) (am) 1. and (3) of the statutes (with respect to consulting with a statewide advisory group) first applies to performance standards established for Wisconsin works agency contracts having a term beginning on January 1, 2002.

(8g) RETURN OF BENEFITS WITHHELD. The treatment of section 49.143 (2) (ct) of the statutes first applies to contracts having a term that begins on January 1, 2000.

**SECTION 9358. Initial applicability; other.**

(2) ENVIRONMENTAL REMEDIATION TAX INCREMENTAL FINANCING. The treatment of section 66.462 (1) (c) and (i), (2) and (4) (a) of the statutes first applies to an environmental remediation tax incremental financing district, the written remediation proposal for which is approved by the political subdivision's governing body on the effective date of this subsection.

(5f) FULL–TIME DISTRICT ATTORNEY FOR RICHLAND AND RUSK COUNTIES. The treatment of section 978.01 (2) (b) of the statutes first applies to the district attorneys elected at the year 2000 general election.

(5x) HUMAN BIOLOGICAL SPECIMENS FOR DEOXYRIBONUCLEIC ACID ANALYSIS. The treatment of sections 973.046 (1) (intro.), (a) and (b) and (1g) and 973.047 (1) (a) and (b) of the statutes first applies to sentencing proceedings that occur on the effective date of this subsection.

(5zu) APPROVAL OF PLATS. The treatment of sections 236.11 (1) (a) and (b) and 236.13 (3) and (4m) of the statutes first applies to all of the following:

(a) A preliminary plat submitted on the effective date of this paragraph.

(b) A final plat submitted on the effective date of this paragraph if no preliminary plat was submitted, a preliminary plat was submitted but not approved or the final plat was submitted more than 24 months after the last required approval of any preliminary plat submitted and approved.

(5zv) COMPLIANCE OF PLAT WITH COMPREHENSIVE PLAN. The treatment of section 236.13 (1) (c) of the statutes first applies to all of the following:

(a) A preliminary plat submitted on the effective date of this paragraph.

(b) A final plat submitted on the effective date of this paragraph if no preliminary plat was submitted, a preliminary plat was submitted but not approved or the final plat was submitted more than 24 months after the last required approval of any preliminary plat submitted and approved.

(6m) PROBATION FOR OPERATING WHILE INTOXICATED OFFENSES. The renumbering and amendment of section 973.09 (1) (d) of the statutes and the creation of section 973.09 (1) (d) 2. and 3. of the statutes first apply to offenses committed on the effective date of this subsection.

**SECTION 9400. Effective dates; general.** Except as otherwise provided in SECTIONS 9401 to 9458 of this act, this act takes effect on July 1, 1999, or on the day after publication, whichever is later.

**SECTION 9401. Effective dates; administration.**

(1) TRANSFER OF NATIONAL AND COMMUNITY SERVICE BOARD. The repeal of sections 16.22 and 20.505 (1) (fm) of the statutes takes effect on January 1, 2000.

(2zt) WISCONSIN LAND COUNCIL. The treatment of section 20.505 (1) (ka) (by SECTION 519) of the statutes takes effect on September 1, 2003.

(2zu) SOIL SURVEYS AND MAPPING. The repeal of sections 16.967 (11) and 20.505 (1) (ik) and (kt) of the statutes takes effect on September 1, 2005.

(4) ADDITIONAL BIWEEKLY PAYROLL. The repeal of section 20.865 (1) (e), (jm), (m), (tm) and (x) of the statutes takes effect on June 30, 2001.

(5) PAY RATE OR RANGE ADJUSTMENTS. The repeal of section 20.865 (1) (cb) and (ib) of the statutes takes effect on June 30, 2001.

(6zu) LAND USE PLANNING GRANTS. The repeal of sections 16.965 (title), (1), (2), (4) and (6) and 20.505 (1) (kh) and (ki) of the statutes takes effect on July 1, 2010.

(6zv) WISCONSIN LAND COUNCIL. The treatment of sections 15.01 (4) (by SECTION 12n) and 227.01 (1) (by SECTION 2353n) of the statutes and the repeal of section 16.965 (3) and (5) of the statutes take effect on September 1, 2003.

(7g) VENDORNET FUND. The repeal and recreation of section 25.61 of the statutes takes effect July 1, 2000.

**SECTION 9402. Effective dates; adolescent pregnancy prevention and pregnancy services board.**

**SECTION 9403. Effective dates; aging and long–term care board.**

**SECTION 9404. Effective dates; agriculture, trade and consumer protection.**

(1) FEDERAL DAIRY POLICY REFORM. The repeal of sections 20.115 (4) (cd) and 93.06 (12) of the statutes takes effect on July 1, 2001.

(2) RABIES CONTROL TRAINING FEES. The repeal and recreation of section 20.115 (2) (j) of the statutes takes effect on December 1, 1999.

**SECTION 9405. Effective dates; arts board.**

**SECTION 9406. Effective dates; boundary area commission, Minnesota–Wisconsin.**

**SECTION 9407. Effective dates; building commission.**

**SECTION 9408. Effective dates; child abuse and neglect prevention board.**

**SECTION 9409. Effective dates; circuit courts.**

**SECTION 9410. Effective dates; commerce.**

(3g) ONE– AND 2–FAMILY DWELLING CODE. The treatment of section 101.651 (title), (1) (title), (2), (2m), (3), (3s), (4) (title), (5) (title) and (6) (title) of the statutes, the renumbering and amendment of section 101.651 (3m) of the statutes, the creation of section 101.651 (3m) (title) of the statutes and SECTION 9110 (3g) of this act take effect on January 1, 2000.

(4) GAMING ECONOMIC DIVERSIFICATION GRANTS AND LOANS. The treatment of sections 20.143 (1) (id) and (km), 20.505 (8) (hm) 6m. and 560.138 of the statutes and the amendment of section 560.139 (1) (a) and (2) (a) of the statutes take effect on July 1, 2000.

(4x) PRIVATE SEWAGE SYSTEM REPLACEMENT OR REHABILITATION GRANT PROGRAM. The treatment of section 145.245 (4) (a) and (c), (4m) (a) to (c) and (d), (5) (a) 1. (by

SECTION 2221m), 2. (by SECTION 2223m) and 3., (5m) (a), (7) (d) and (11m) (am), (b) and (c) of the statutes and SECTION 9310 (4x) of this act take effect on February 1, 2000.

(5) GAMING ECONOMIC DEVELOPMENT GRANTS AND LOANS. The amendment of section 20.143 (1) (kj) of the statutes takes effect on July 1, 2001.

(5x) REGULATION OF MOBILE HOMES AND RECREATIONAL VEHICLES. The treatment of sections 16.366 (title), (1), (2), (2m) and (3), 20.143 (3) (j), 20.505 (7) (jf), 25.46 (19), 101.02 (20) (a) and (21) (a), 101.91 (1), (1g), (1m), (2g), (2m), (3), (4), (5) and (6), 101.92 (9), 101.9202, 101.9203, 101.9204, 101.9205, 101.9206, 101.9207, 101.9208, 101.9209, 101.921, 101.9211, 101.9212, 101.9213, 101.9214, 101.9215, 101.9216, 101.9217, 101.9218, 101.9219, 101.922, 101.9221, 101.9222, 101.9223, 101.94 (8) (a) and (c), 101.951, 101.952, 101.953, 101.954, 101.955, 101.965, 138.056 (1) (b) and (c), 138.09 (7) (jm) 1. b., 196.01 (3n), 218.10 (1), (1m), (1t), (2), (3), (4), (5), (6), (7), (8), (8m) and (9), 218.101, 218.11 (title), (1), (2) (b) and (d), (3), (6) (intro.), (d) and (n) and (7), 218.12 (title), (1), (2) (a), (b) and (d), (3), (5) and (6), 218.14, 218.15, 218.16, 218.165, 218.17 (1), (2) and (3), 227.43 (1) (bg), 340.01 (11) (intro.), (14), (28), (29), (48r) and (72) (a), 341.04 (1) (intro.), 341.12 (1), 341.25 (1) (intro.) and (i) (by SECTION 2732d.), 341.47 (1) (intro.), 341.51 (1) and (2), 341.53, 341.62, 342.18 (4) (a) and (b), 342.22 (3) (a), 342.30 (2), 343.055 (1) (d), 409.302 (3) (f), 411.104 (1) (a), 422.201 (12m), 422.209 (1m) (a) 2., 422.413 (2g) (intro.) and 779.85 (6) and subchapter VI (title) of chapter 218 of the statutes and SECTIONS 9101 (3x), 9150 (5xy), 9201 (2x) and 9310 (3x) of this act take effect on July 1, 2000.

(9yt) RISK BASED ANALYSIS AND REIMBURSEMENT CHANGES TO PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The treatment of section 101.143 (2e) (c), (3) (cn), (cp), (cs)

and (g) and (4) (c) 11. of the statutes and SECTION 9310 (3yt), (3yu) and (3yv) of this act take effect on November 1, 1999.

**SECTION 9411. Effective dates; corrections.**

(5d) SUNSET OF PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM. The treatment of sections 20.410 (1) (gi), (hm) and (km), 108.07 (8) (b), 303.01 (8) (b), (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes and the repeal of section 303.01 (2) (em) and (11) of the statutes take effect on March 1, 2001, if the certification described in SECTION 9111 (2d) (c) of this act occurs.

**SECTION 9412. Effective dates; court of appeals.**

**SECTION 9413. Effective dates; educational communications board.**

**SECTION 9414. Effective dates; elections board.**

(2g) CHALLENGING ELECTORS. The treatment of sections 6.92 (intro.) and (1) to (6) and 6.925 (intro.) and (1) to (6) of the statutes takes effect on the first day of the 6th month beginning after publication.

**SECTION 9415. Effective dates; employe trust funds.**

**SECTION 9416. Effective dates; employment relations commission.**

**SECTION 9417. Effective dates; employment relations department.**

**SECTION 9418. Effective dates; ethics board.**

**SECTION 9419. Effective dates; financial institutions.**

**SECTION 9421. Effective dates; governor.**

(1x) ASSISTANCE FROM EXECUTIVE BRANCH AGENCIES. The treatment of section 20.445 (3) (mc) (by SECTION 474ac) of the statutes and the repeal of sections 14.18 and 20.525 (1) (kb) of the statutes take effect on January 6, 2003.

**SECTION 9422. Effective dates; Health and Educational Facilities Authority.**

**SECTION 9423. Effective dates; health and family services.**

(1) ELIMINATION OF COUNCIL ON LONG–TERM CARE. The repeal of sections 15.197 (5), 46.281 (1) (a) and (b) and 46.282 (1) of the statutes takes effect on July 1, 2001, or on the day after publication of the 2001–03 biennial budget act, whichever is later.

(3) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. The treatment of section 46.45 (2) (a) of the statutes takes effect on July 1, 2001.

(4w) BRIGHTER FUTURES INITIATIVE AND TRIBAL ADOLESCENT SERVICES. The treatment of sections 20.435 (3) (fm), 20.9275 (2) (intro.), 46.48 (6), 46.715, 46.99, 46.995 (title), (1) (title), (a), (b), (c), (d), (e) and (f), (1m), (2) (a), (b), (c) and (d) and (4), 46.997 (title), (1) (intro.), (a), (b), (c), (d), (e) and (f), (2) (a), (b), (c) and (d), (3), (4) and (5), 46.99 and 51.45 (5) of the statutes, the repeal of section 46.996 of the statutes, the renumbering and amendment of sections 46.995 (1) (intro.), (2) (intro.) and (3) and 46.997 (2) (intro.) of the statutes and the repeal and recreation of section 20.435 (3) (eg) and (km) of the statutes take effect on July 1, 2000.

(5) COMMUNITY–BASED RESIDENTIAL FACILITY CLIENT REFERRALS. The treatment of sections 46.27 (7) (cj) 3. a. and (11) (c) 5n. a., 46.277 (5) (d) 1n. a. and 50.035 (7) (c) of the statutes and SECTION 9323 (3) of this act take effect on January 1, 2000.

(6) SUPPLEMENTAL PAYMENT FOR CERTAIN RECIPIENTS OF SUPPLEMENTAL SECURITY INCOME. The treatment of section 49.775 (4) of the statutes takes effect on November 1, 1999, or on the day after publication, whichever is later.

(7) INDIAN GAMING FUNDS. The treatment of sections 20.435 (4) (bs), 20.505 (8) (hm) 18. and 49.029 (2) (by SECTION 1207) of the statutes takes effect on July 1, 2000.

(8) INDIAN GAMING FUNDS. The treatment of sections 20.435 (5) (ek), 20.505 (8) (hm) 18b. and 146.19 (2) (intro.) of the statutes takes effect on July 1, 2000.

(10) LICENSING OF RADIOACTIVE MATERIAL. The treatment of section 254.365 of the statutes takes effect on January 1, 2003.

(10m) ADMINISTRATION OF MEDICAL ASSISTANCE. The treatment of sections 20.445 (3) (dz) (by SECTION 467b), 49.33 (1) (b) and (8) (a), 49.45 (3) (a) and 49.496 (4) of the statutes and SECTION 9157 (2p) take effect on March 1, 2000.

(10v) FOSTER CARE RATES. The treatment of section 48.62 (4) of the statutes takes effect on January 1, 2000, or on the day after publication, whichever is later.

(11g) NEWBORN HEARING SCREENING PROGRAM.

(a) The amendment of section 69.22 (1) (c) of the statutes takes effect on October 1, 1999, or on the first day of the first month beginning after publication, whichever is later.

(b) The amendment of section 20.435 (5) (jk) of the statutes takes effect on July 1, 2001.

(c) The repeal of sections 20.435 (5) (jk) and 253.115 (4) of the statutes, the amendment of section 20.433 (1) (h) (by SECTION 368s) of the statutes and the repeal and recreation of section 69.22 (1) (c) of the statutes take effect on January 1, 2003.

**SECTION 9424. Effective dates; historical society.**

**SECTION 9425. Effective dates; Housing and Economic Development Authority.**

(3g) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. The repeal of section 234.51 (2) (c) of the statutes takes effect on July 1, 2000.

**SECTION 9426. Effective dates; insurance.**

**SECTION 9427. Effective dates; investment board.**

(1g) ABOLITION OF BONUS COMPENSATION PROGRAM FOR CERTAIN EMPLOYES OF THE INVESTMENT BOARD. The treatment of sections 25.156 (2), (6) and (7), 25.16 (7), 25.165

(1) and 40.63 (1) (c) of the statutes and SECTION 9127 (1g) of this act take effect on July 1, 2000.

**SECTION 9428. Effective dates; joint committee on finance.**

**SECTION 9429. Effective dates; judicial commission.**

**SECTION 9430. Effective dates; justice.**

**SECTION 9431. Effective dates; legislature.**

**SECTION 9432. Effective dates; lieutenant governor.**

**SECTION 9433. Effective dates; lower Wisconsin state riverway board.**

**SECTION 9434. Effective dates; Medical College of Wisconsin.**

**SECTION 9435. Effective dates; military affairs.**

**SECTION 9436. Effective dates; natural resources.**

(1) SNOWMOBILE SAFETY PROGRAM.

(a) The treatment of section 350.055 (by SECTION 2802) of the statutes takes effect on January 1, 2000, or on the day after publication, whichever is earlier.

(b) The treatment of section 350.05 (3) of the statutes and the repeal and recreation of sections 350.05 (2) and 350.055 of the statutes take effect on January 1, 2001.

(2) DEPARTMENTAL HUNTING AND RECREATIONAL SAFETY PROGRAMS. The treatment of sections 20.370 (3) (at), 23.33 (5) (d), 29.563 (11) (b) 1., 29.591 (3) and 30.74 (1) (b) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(3) BOAT CERTIFICATION AND REGISTRATION PERIODS. The treatment of section 30.52 (2) and (3) (b), (c), (d), (e), (f), (fm), (h), (i) and (im) of the statutes and SECTION 9336 (5) of this act take effect on April 1, 2000.

(5v) AQUATIC NUISANCE SPECIES.

(a) The treatment of section 20.370 (5) (cq) (by SECTION 319h) of the statutes takes effect on July 1, 2000.

(b) The repeal of section 30.1255 (4) of the statutes and the repeal and recreation of section 20.370 (5) (cq) of the statutes take effect on July 1, 2001.

(5x) PORTAGE CANAL PROJECT. The treatment of section 20.370 (5) (cq) (by SECTION 319h) of the statutes takes effect on July 1, 2000.

(6) ELK TRANSPORTATION. The treatment of sections 20.370 (1) (hk) and 20.505 (8) (hm) 8g. of the statutes takes effect on July 1, 2000.

(6t) LAKE SUPERIOR HARBOR OF REFUGE. The treatment of sections 20.924 (2) and 30.92 (4m) of the statutes takes effect on January 1, 2000.

(8) DRINKING WATER STUDY REPEAL. The repeal of sections 20.370 (6) (ck) and 20.505 (8) (hm) 17g. of the statutes takes effect on July 1, 2001.

(8c) DRY CLEANING FACILITIES. The treatment of section 292.65 (1) (d) 9. of the statutes takes effect retroactively to October 14, 1997.

(8m) STUDY ON WILD CRANES. The amendment of section 20.370 (1) (Lk) of the statutes takes effect on July 1, 2001.

(9c) POSTING AIR EMISSIONS INFORMATION ON THE INTERNET. The treatment of section 285.17 (3) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(9d) BONUS DEER HUNTING PERMITS. The treatment of sections 20.370 (5) (fq), 29.181 (2m) (intro.), 29.229 (4) (f), 29.559 (1), (1r) and (3) and 29.563 (2) (c) 1. and (d) and (14) (c) 4. and SECTION 9336 (2) of this act take effect on April 1, 2000.

(9t) BOAT REGISTRATION SURCHARGES. The treatment of sections 20.370 (3) (ar) and 30.52 (3e) of the statutes and SECTION 9336 (9t) of this act take effect on April 1, 2000.

(10g) STEWARDSHIP PROGRAMS. The treatment of sections 23.094 (3g) and 23.098 (4) (am) of the statutes and the repeal and recreation of sections 23.092 (6), 23.094 (8) and 23.175 (4) of the statutes take effect on July 1, 2000.

**SECTION 9437. Effective dates; personnel commission.**

**SECTION 9438. Effective dates; public defender board.**

**SECTION 9439. Effective dates; public instruction.**

**SECTION 9440. Effective dates; public lands, board of commissioners of.**

**SECTION 9441. Effective dates; public service commission.**

**SECTION 9442. Effective dates; regulation and licensing.**

(1) INITIAL AND RENEWAL CREDENTIAL FEES.

(a) The treatment of sections 440.05 (1) (a) and 440.08 (2) (a) 1., 2., 3., 4., 4m., 5., 6., 7., 9., 11., 11m., 12., 13., 14., 14g., 14r., 15., 16., 17., 18., 20., 24., 25., 26., 27., 27m., 28., 29., 30., 31., 34., 35., 35m., 36., 37., 38., 38g., 38m., 39., 42., 43., 45., 46., 46m., 48., 49., 50., 51., 52., 53., 54., 55., 56., 57., 58., 59., 60., 61., 62., 63., 63g., 63m., 63t., 63u., 63v., 63w., 63x., 64., 65., 66., 67., 67m., 67q., 68., 68d., 68h., 68p., 68t., 68v., 69., 70. and 71. of the statutes takes effect on September 1, 1999, or on the first day of the 2nd month beginning after publication, whichever is later.

(b) The treatment of section 440.08 (2) (a) 67v. of the statutes takes effect on October 2, 1999.

**SECTION 9443. Effective dates; revenue.**

(1) LOTTERY RETAILER COMPENSATION. The treatment of sections 565.02 (4) (g) and 565.10 (14) (b) 3m. of the statutes takes effect on January 1, 2000.

(3n) REAL ESTATE TRANSFER FEE RETURN. The repeal of section 77.265 (10) of the statutes takes effect on September 1, 2003.

(7d) TRANSITIONAL ADJUSTMENT FEE CREDIT. The treatment of section 76.91 (1m) of the statutes takes effect retroactively to May 1, 1998.

(7f) LOCAL EXPOSITION DISTRICT TAXES. The treatment of sections 20.566 (1) (gg), 20.835 (4) (gg), 66.75 (1m) (f) 3., 77.982 (3) and 77.991 (3) of the statutes takes effect on the first day of the first month beginning after publication.

(7to) APPORTIONMENT FACTORS. The treatment of sections 71.01 (1g), (8g), (8m) and (5r), 71.03 (1), 71.04 (4) (a), (b) and (c), (5) (intro.), (6) (intro.), (7) (d), (dc), (dg), (dn), (dr), (ds), (dt) and (dw) and (8) (title), (a) and (c), 71.07 (3m) (a) 1. b. and (10), 71.195, 71.22 (1), (1d) and (3g), 71.25 (6) (a), (b) and (c), (7) (intro.), (8) (intro.), (9) (d), (dc), (dg), (dn), (dr), (ds), (dt) and (dw) and (10) (title), (a) and (c), 71.28 (2m) (a) 1. b. and (4) (a), (am) 1. and (i), 71.45 (3) (intro.), (a) and (c) and (3m), 71.47 (2m) (a) 1. b. and (4) (a), (am) and (i) and 71.58 (1) (c) and (cm) of the statutes and the renumbering and amendment of sections 71.04 (4), 71.25 (6) and 71.45 (3) (b) of the statutes take effect on the January 1 after publication.

**SECTION 9444. Effective dates; secretary of state.**

**SECTION 9445. Effective dates; state fair park board.**

**SECTION 9446. Effective dates; supreme court.**

(2h) PENALTY ASSESSMENT APPROPRIATION. The repeal of sections 20.505 (6) (j) 16. and 20.680 (2) (kp) of the statutes and the amendment of section 758.19 (4) (by SECTION 3050q) of the statutes take effect on July 1, 2000.

**SECTION 9447. Effective dates; technical college system.**

**SECTION 9448. Effective dates; technology for educational achievement in Wisconsin board.**

**SECTION 9449. Effective dates; tourism.**

**SECTION 9450. Effective dates; transportation.**

(1) OPERATING AFTER REVOCATION OR WHILE SUSPENDED. The treatment of section 343.44 (2) (a) and (am) of the statutes takes effect on May 1, 2001, or on the date stated for those paragraphs in the notice published by the secretary of transportation in the Wisconsin Administrative Register under section 85.515 of the statutes, whichever is earlier.

(2) LATE PAYMENT FEES FOR TELEPHONIC MOTOR TRUCK REGISTRATION. The treatment of section 341.19 (1) (b) of the statutes and SECTION 9350 (2) of this act take effect on January 1, 2000.

(2d) GREEN BAY PACKERS LICENSE PLATES. The treatment of sections 16.255, 20.395 (5) (cL), 20.505 (3) (j), 25.40 (1) (a) 19. and 341.14 (6r) (b) 1., 3. and 7., (f) 54., (fm) 7. and (h) of the statutes takes effect on the first day of the 5th month beginning after publication.

(3) STATE TRAFFIC PATROL ADMINISTRATOR. The treatment of section 40.02 (48) (b) 4. of the statutes takes effect on January 1, 2000.

**SECTION 9451. Effective dates; treasurer.**

**SECTION 9452. Effective dates; University of Wisconsin Hospitals and Clinics Authority.**

**SECTION 9453. Effective dates; University of Wisconsin Hospitals and Clinics Board.**

**SECTION 9454. Effective dates; University of Wisconsin System.**

**SECTION 9455. Effective dates; veterans affairs.**

**SECTION 9456. Effective dates; World Dairy Center Authority.**

**SECTION 9457. Effective dates; workforce development.**

(1) COLLECTION METHODS FOR PUBLIC ASSISTANCE. The amendment of section 49.195 (3n) (k) and (r) of the statutes takes effect on December 31, 1999.

(2) ASSIGNMENT OF RECEIVING AND DISBURSING FEES. The treatment of sections 767.265 (1), (2h) (by SECTION 3059) and (2r) and 767.29 (1) (d) (intro.), 1. and 2. of the statutes, the amendment of section 767.265 (1m) of the statutes and SECTION 9357 (3) of this act take effect on January 1, 2000.

(3) INCOME CALCULATION. The treatment of sections 49.145 (3) (b) 2. and 49.155 (1m) (b) 3. and (c) 1g. and 1h. of the statutes, the renumbering and amendment of section 49.155 (1m) (c) 1. of the statutes and the creation of section 49.155 (1m) (c) 1. a. and b. of the statutes and SECTION 9357 (4) of this act take effect on January 1, 2000.

(4) CHILD CARE SUBSIDY ELIGIBILITY. The treatment of section 49.155 (1) (aL) and (1m) (intro.) and (a) (intro.) of the statutes takes effect on January 1, 2000.

(6f) PROHIBITION OF FINANCIAL ASSISTANCE IF NAME ON SUPPORT LIEN DOCKET. The treatment of sections 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34 (1) (b), 39.30 (2) (e), 39.38 (2) (by SECTION 912c), 39.435 (6), 39.44 (4), 39.47 (2m), 45.25 (4) (b) (intro.) and 2., 45.356 (6) (intro.) and (b), 45.396 (6) (intro.) and (b), 45.74 (6) (intro.) and (b), 49.855 (7), 145.245 (5m) (b), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c), 234.65 (3) (f), 234.83 (2) (a) 3., 234.90 (3) (d) and (3g) (c), 234.905 (3) (d), 281.65 (8) (L) and 949.08 (2) (g) of the statutes and the repeal of section 49.854 (2) (e) of the statutes take effect on the date stated in the notice published by the department of workforce development in the Wisconsin Administrative Register under section 49.854 (2) (e) of the statutes, as created by this act, or on the effective date of this subsection, whichever is later.

(6xt) ADULT WORKFORCE INVESTMENT PROGRAMS. The treatment of sections 71.07 (2dj) (am) 1., 71.28 (1dj) (am) 1., 71.47 (1dj) (am) 1., 106.15 (1) (b), (c) and (d), (3) (intro.), (4), (5) (intro.) and (7), 560.63 (4) and 560.737 (1) (b) of the statutes and the

amendment of section 106.11 (by SECTION 2005m) of the statutes take effect on July 1, 2000, or on the day after publication, whichever is later.

(6xu) YOUTH WORKFORCE INVESTMENT PROGRAMS. The treatment of section 106.11 (2) of the statutes, the renumbering of section 106.11 (1) of the statutes and the amendment of section 115.28 (24) (by SECTION 2040d) of the statutes take effect on April 1, 2000, or on the day after publication, whichever is later.

**SECTION 9458. Effective dates; other.**

(2x) HUMAN BIOLOGICAL SPECIMENS FOR DEOXYRIBONUCLEIC ACID ANALYSIS. The treatment of sections 973.046 (1) (intro.), (a) and (b) and (1g) and 973.047 (1) (a) and (b) of the statutes and SECTION 9358 (5x) of this act take effect on January 1, 2000.

(2zo) COMPLIANCE OF PLAT WITH COMPREHENSIVE PLAN. The treatment of section 236.13 (1) (c) of the statutes and SECTION 9358 (5zv) of this act take effect on January 1, 2000.

(4m) JUSTICE INFORMATION FEE; ALLOCATION CHANGES. The treatment of sections 20.505 (1) (ja) (by SECTION 517e) and 20.680 (2) (j) (by SECTION 605d) of the statutes takes effect on July 1, 2000.

**(END)**