1999 ASSEMBLY BILL 133

February 16, 1999 – Introduced by JOINT COMMITTEE ON FINANCE, by request of Governor Tommy G. Thompson. Referred to Joint survey committee on Tax Exemptions.

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

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill is the "executive budget bill" under section 16.47 (1) of the statutes. It contains the governor's recommendations for appropriations for the 1999–2001 fiscal biennium. The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes, thereby setting the appropriation levels for the 1999–2001 fiscal biennium.

The descriptions that follow relate to the most significant changes in the law that are proposed in the bill. In most cases, changes in the amounts of existing spending authority and changes in the amounts of bonding authority under existing bonding programs are not discussed.

For additional information concerning this bill, see the department of administration's publication *Budget in Brief* and the executive budget books, the legislative fiscal bureau's summary document and the legislative reference bureau's drafting files, which contain separate drafts on each policy item. In most cases, the policy item drafts contain a more detailed analysis than is printed with this bill.

GUIDE TO THE BILL

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.

AGRICULTURE

Under current law, one of the eligibility requirements for the farmland preservation credit is that the land to which the credit relates must be subject either to a farmland preservation agreement between the landowner and the department of agriculture, trade and consumer protection (DATCP) or to an exclusive agricultural use zoning ordinance that is certified by the land and water conservation board (LWCB). A farmland preservation agreement requires the owner to keep the land in agricultural use for the duration of the agreement, up to 25 years, although DATCP may release land from an agreement under certain circumstances. In some of the circumstances under which DATCP may release land from a farmland preservation agreement, or if land is rezoned from exclusive agricultural use, DATCP is required to file a lien against the land for the amount of the farmland preservation credit received by the owner during the preceding ten years.

For taxable years beginning after December 31, 2000, this bill eliminates the requirement that land be subject to a farmland preservation agreement or exclusive agricultural use zoning in order for the owner to qualify for the farmland preservation credit. *See* **TAXATION** for a description of all of the changes in the credit. The bill prohibits DATCP from entering into additional farmland preservation agreements and requires DATCP to release land from an existing farmland preservation agreement at the request of the owner. DATCP must file a lien against the land for the amount of the farmland preservation credit received by the owner during the preceding ten years unless the land qualifies for release under one of the current circumstances under which a lien is not required. Under the bill, land that is rezoned from exclusive agricultural use zoning after December 31, 2000, is not subject to a lien.

Under current law, another eligibility requirement for the farmland preservation credit is that the land be farmed in compliance with a soil and water conservation plan or with soil and water conservation standards established by the county in which the land is located and approved by LWCB. Under the bill, beginning on January 1, 2001, all claimants must comply with the soil and water conservation standards. The bill requires counties to revise the standards so that they are consistent with the tolerable erosion standard established by LWCB and with nutrient management rules promulgated by DATCP.

Under current law, an exclusive agricultural use zoning ordinance must generally provide that the minimum parcel size for establishing a residence or a farm operation is 35 acres. This bill eliminates that requirement effective January 1, 2001, and requires instead that an exclusive agricultural use ordinance must specify a minimum lot size.

Under current law, a person may not operate a nursery (a place where plants are grown for sale) in this state without a license from DATCP. The license fee is based primarily on total nursery acreage. A person other than the operator of a nursery may not sell nursery stock without a nursery dealer license from DATCP. The nursery dealer license fee is $25 for each place of business.

Under this bill, the license fee for a nursery operator (called a nursery grower) is based on annual sales of nursery stock and the nursery dealer license fee is based on annual purchases of nursery stock. The bill also requires that Christmas tree growers be licensed as nursery growers.

Current law requires county land conservation committees to prepare land and water resource management plans. The plans must be reviewed by LWCB and approved by DATCP. This bill provides for land and water resource management plans to be reviewed by DATCP, in consultation with the department of natural resources, and approved by LWCB. The bill also changes the requirements for the contents of a land and water resource management plan by, among other things, requiring the identification of water quality goals and a system for monitoring the progress of the activities described in the plan.

Under current law, DATCP awards grants for land and water resource management projects and for the construction of animal waste management systems. Current law authorizes the issuance of up to $3,000,000 in state bonds for this program. This bill increases that bonding authority by $3,575,000.

Under current law, DATCP regulates establishments where animals are slaughtered and where meat is processed if those establishments are not federally licensed. This bill requires slaughtering and meat processing establishments that are not federally licensed to comply with the federal regulations that apply to federally licensed establishments, except as otherwise provided in rules promulgated by DATCP.

Under current law, DATCP collects fees related to fertilizer, animal feeds and pesticides from persons who manufacture and sell these products. The fees are used for the management of agricultural chemicals. The 1997–99 biennial budget act lowered the amount of these fees for two years. This bill extends the lower fee amounts for two additional years.

For the fertilizer and animal feed fees, the bill also imposes a weights and measures fee on each ton of fertilizer or animal feed sold. The fees are used by DATCP for its weights and measures inspection program. This bill reduces the fertilizer and animal feed fees so that the total fee per ton remains the same as it is under current law.

Under current law, drainage boards operate drainage districts, which drain property owned by two or more persons. DATCP assists drainage boards and oversees their activities and promulgates rules that apply to drainage boards.

This bill establishes a program under which DATCP makes grants to drainage boards to assist the boards to comply with applicable laws and rules.

This bill authorizes DATCP to accept electronic applications and payments for licenses issued and services provided by DATCP. DATCP may charge a fee to cover its electronic processing costs.

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

This bill authorizes the department of commerce to award grants and loans to businesses that are located in the same county as a casino that is operated by a federally recognized American Indian tribe or band or in a county adjacent to such a county. A grant for professional services, such as engineering studies, feasibility studies, marketing assistance or legal or accounting services, may not exceed $15,000. A grant or loan for fixed asset financing may not exceed $100,000. For either of these grants or loans, the department must determine that the recipient has been negatively impacted by the existence of the casino and that the recipient has a need for the grant or loan to improve its profitability. Unless the department waives the requirement for financial hardship reasons, any business receiving a grant or loan must provide matching funds for 25% of the cost of the project.

The bill also authorizes the department to award a grant or loan to a business described above for the purpose of diversifying the economy of a community in proximity to a casino. In determining whether to award a grant or loan, the department must consider a project's potential to retain or increase jobs, potential for significant capital investment and contribution to the economy of the community in proximity to the casino and to the economy of the state. A business that receives a grant or loan must provide matching funds for at least 25% of the cost of the project. Moneys for all of these grants and loans come from Indian gaming receipts. In addition, Indian gaming receipts are used for economic development grants for Brown County in fiscal years 1999–2000 and 2000–01.

Under current law, general purpose revenue is appropriated to the department of commerce for economic development for American Indians. This bill changes the source of the funding to Indian gaming receipts.

The Wisconsin Housing and Economic Development Authority (WHEDA) administers a number of loan guarantee programs. Under the small business development loan guarantee program, WHEDA may guarantee up to 80% or $200,000, whichever is less, of the principal of a loan made by a private lending institution to a business that employs 50 or fewer full–time employes (small business), or to the elected governing body of a federally recognized American Indian tribe or band in this state, for certain business development projects. The total outstanding guaranteed principal amount of all loans that WHEDA may guarantee under the program is $9,900,000.

This bill adds a new type of eligible borrower to the program: a small business that is located in the same county as a casino that is operated by a federally recognized American Indian tribe or band or in a county that is adjacent to such a county. For such a loan, WHEDA may guarantee up to 100% or $200,000, whichever

is less, of the loan principal. In addition, for such a loan WHEDA annually may pay to the financial institution that made the loan up to 3.5% of the outstanding balance of the loan as an interest subsidy. The bill increases the total outstanding guaranteed principal amount of all loans that WHEDA may guarantee under the program from $9,900,000 to $21,150,000. The bill also authorizes WHEDA to use Indian gaming receipts for guarantees and interest subsidies for loans made to businesses located in the same counties as American Indian casinos or in counties adjacent to those counties.

Currently, under the physician loan assistance and health care provider loan assistance programs, the department of commerce may repay up to a specified amount in educational loans on behalf of a physician, physician's assistant, nurse–midwife or nurse practitioner who agrees to practice at least 32 clinic hours per week for three years in one or more eligible practice areas, defined generally as areas in this state with shortages of certain types of health care providers. The loan repayments are funded from general purpose revenue. This bill changes the funding source to Indian gaming revenue.

This bill appropriates Indian gaming receipts to the department of tourism for tourism marketing expenditures and for providing funds to nonprofit organizations for the joint effort marketing of tourism in the state.

This bill authorizes WHEDA to organize and maintain a nonstock, nonprofit corporation for the purpose of investing in biotechnology companies in this state. Biotechnology is defined as technology related to life sciences. General purpose revenue is provided to the corporation for start–up capital and for its reasonable administrative expenses. WHEDA must provide administrative services to the corporation by assigning its own employes or by contracting with private or state agencies to provide the services.

The corporation may invest in a biotechnology company by purchasing capital participation instruments, such as capital stock, partnership or membership interests, evidences of indebtedness and royalties, in a commercial, industrial or other economic enterprise undertaken by the biotechnology company. The corporation may not purchase more than 49% of the voting stock in any such enterprise and may not invest more than $200,000 in any one biotechnology company.

The board of directors of the corporation includes the executive director of WHEDA, the secretary of commerce, the secretary of administration, the executive director of the investment board, the president of the University of Wisconsin System and the president of Forward Wisconsin, Inc., or the designee of any of them, and three other members who are initially appointed by the governor and who must include representatives of the state's biotechnology research community, biotechnology industry and venture capital industry.

This bill authorizes the department of commerce to award a grant of not more than $1,000,000 to a consortium of business, governmental and educational entities in the Racine–Kenosha area for a manufacturing technology training center. The consortium must submit a business plan to the department, and the secretary of commerce must approve the plan before the grant may be made. The department and the consortium must enter into a written agreement concerning the use of the grant proceeds, and the consortium must submit a report to the department on the use of the grant proceeds within six months after spending the proceeds.

This bill authorizes the department of commerce to make a loan of not more than $600,000 to a person for a project that includes a pedestrian bridge. In order to receive the loan, the person must submit a project plan and the plan must be approved by the secretary of commerce. The person must enter into a written agreement with the department related to the use of the loan proceeds, and must agree to report to the department on the use of the loan proceeds after the proceeds are spent.

This bill eliminates the manufacturing assistance grants program, under which the development finance board awards grants to fund a management assessment and plan, to provide customized training for employes of a business supplying a manufacturing business and to provide support for a manufacturing extension center technology transfer program. Grants may not total more than $750,000 in a fiscal biennium and are funded with general purpose revenue from the Wisconsin development fund and with repayments from grants and loans made from the Wisconsin development fund.

This bill authorizes the department of commerce to award a grant to a technology–based nonprofit organization to provide support for a manufacturing extension center. Grants awarded under the program may not exceed $1,000,000 in a fiscal year and are funded solely with repayments of grants and loans made from the Wisconsin development fund.

This bill authorizes the department of commerce to award grants for costs associated with the start–up or expansion of a business that is or will be located in a city, village or town that has a population of more than 6,000 or that is located in a county with a population density of 150 or more persons per square mile. The department may not award more than $15,000 to any one person in a fiscal biennium, and may not award more than $250,000 under the program in a fiscal biennium. A person may not receive a grant unless the person submits to the department a comprehensive informational application and contributes at least 25% of the cost of the project.

Currently, if the department of commerce designates an area as a development zone, a development opportunity zone or an enterprise development zone, a person or corporation that conducts or that intends to conduct economic activity in the

designated zone may be eligible for certain tax credits, called development zones credits, based on the creation or retention of jobs and on expenses incurred to remediate environmental problems.

This bill eliminates the requirement that the department obtain the approval of the joint committee on finance to designate more than 50 enterprise development zones and increases the number of enterprise development zones that the department may designate to 100. The bill increases the amount in tax credits that the department must allow a person to claim for creating or retaining a job in a development zone or in an enterprise development zone. The bill increases to $300,000,000 the total amount of tax credits that may be claimed under the development zone and enterprise development zone programs together. Under current law, the amount of tax credits that may be claimed under the development zone program is $33,155,000 and the amount that may be claimed under the enterprise development zone program is not specified. Finally, the bill authorizes the department to designate enterprise development zones for projects that will likely provide for significant environmental remediation. Under current law, the department may designate an enterprise development zone only for a project that is likely to retain or increase employment in the state and that will likely have a positive effect on an area that meets at least three criteria relating generally to economic circumstances. Of the 100 enterprise development zones that the department may designate under the bill, the department must designate at least ten for projects for environmental remediation.

Currently, the department of commerce awards grants to persons for the redevelopment of brownfields and associated environmental remediation activities. Brownfields are abandoned, idle or underused industrial or commercial facilities or sites that are adversely affected for expansion or redevelopment by actual or perceived environmental contamination. Grants are paid from general purpose revenue and from the environmental fund.

This bill adds another type of grant to the program based on the creation or retention of jobs. Under the bill, any person eligible for a grant under the current program is eligible for the new type of grant if, in addition to satisfying the criteria under current law, the grant applicant creates or retains jobs with the grant proceeds. At least 80% of the jobs created or retained must be filled by individuals who are parents of minor children and who have family incomes that do not exceed 200% of the federal poverty line. The new grants are paid from the federal temporary assistance for needy families block grant moneys. The current requirement that the department must award at least seven grants under the program for projects that are located in municipalities with a population of less than 30,000 is changed to a requirement that the department must award at least 14 grants for projects that are located in municipalities with a population of less than 50,000.

The department of commerce currently awards grants and loans from the Wisconsin development fund for various purposes generally related to technology and product research and development and labor training. This bill provides that

in fiscal year 1999–2000 the department of commerce may provide up to $100,000 in assistance from the fund to a nonprofit organization that provides assistance to organizations and individuals in urban areas.

Currently, WHEDA guarantees the repayment of loans made to businesses and individuals for various specified purposes by private lending institutions. The loans are guaranteed from the Wisconsin development reserve fund. This bill transfers $2,000,000 from the Wisconsin development reserve fund to the environmental fund, which funds such activities as environmental repair, groundwater management and nonpoint source water pollution abatement. In addition, the bill reduces WHEDA's loan guarantee authority for the remediation of brownfields.

Currently, moneys in the housing rehabilitation loan program administration fund may be used to pay for WHEDA's expenses in administering the housing rehabilitation loan program, which promotes housing rehabilitation through, among other things, the purchase of housing rehabilitation loans from lenders. Moneys may be transferred to the general fund if the moneys are no longer required for the housing rehabilitation loan program. This bill eliminates the transfer of moneys to the general fund and instead authorizes the transfer of moneys to the Wisconsin development reserve fund, which WHEDA uses to fund loan guarantees under all of its loan guarantee programs.

The bill also eliminates the cultural and architectural landmark loan guarantee program, under which WHEDA may guarantee a loan to an organization for acquiring, constructing, improving or rehabilitating a property that is an architectural masterpiece and that has historical significance.

Under the statutes, records created and maintained by a governmental agency are normally open to inspection by anyone who requests inspection or copies of the records. Also under current law, a governmental agency is prohibited from selling or renting a record containing an individual's name or address unless authorized by statute. This bill allows the department of tourism to refuse to reveal names, addresses and related demographic information from any lists maintained by the department of persons who have requested travel information from the department. In addition, if the department reveals information from any such list, the department may charge a fee to recover its costs in compiling and providing the information.

Under current law, the department of commerce awards grants to community–based organizations for regional economic development, but is limited in the amount that it may award in a fiscal year. This bill removes this limit so that the department may use its discretion in the total amount of grants awarded.

Under current law, the department of commerce provides technical assistance, or a grant for technical assistance, to individuals, nonprofit organizations and businesses with fewer than 25 full–time employes for developing and planning the

start–up or expansion of a business that is expected to provide job opportunities for persons with severe disabilities. This bill makes businesses with fewer than 100 employes eligible for such assistance.

COMMERCE

This bill allows a savings bank, a savings and loan association and a state bank (a financial institution) to become certified by the division of banking in the department of financial institutions (DFI) as a universal bank. If certified as a universal bank, the financial institution may exercise certain additional powers.

In order to be certified as a universal bank, a financial institution must be chartered or organized, and regulated, as a Wisconsin financial institution and be in existence and continuous operation for at least three years; must be well–capitalized or adequately capitalized; must not exhibit moderately severe or unsatisfactory financial, managerial, operational and compliance weaknesses; and must not have been the subject of any enforcement action within the 12 months preceding the application.

A financial institution that the division of banking certifies as a universal bank retains its original status and remains subject to all of the laws that applied to the financial institution prior to its certification as a universal bank, except to the extent that such laws are inconsistent with the powers and duties of universal banks.

The bill expands the powers of a financial institution that becomes certified as a universal bank to include any activity authorized for any savings bank, savings and loan association or state bank. In addition, the bill does all of the following with respect to the powers that a universal bank may exercise:

1. The bill grants a universal bank the authority to exercise all powers that may be exercised, either directly or through a subsidiary, by a national bank, a federally chartered savings bank or a federally chartered savings and loan association.

2. A universal bank may deal in loans or extensions of credit for any purpose. Like state banks, the limitations imposed on a universal bank's lending generally focus on the total amount of liabilities of any one lender at any one time. Although the limit varies, the general rule is that the total liabilities of any one person to a universal bank may not exceed 20% of the capital of the universal bank. In addition, the bill grants a universal bank additional authority to lend an aggregate amount to all borrowers not to exceed 20% of the bank's capital. The division of banking may suspend this additional authority based upon factors including the universal bank's capital adequacy, management, earnings, liquidity and sensitivity to market risk.

3. To the extent consistent with safe and sound banking powers, a universal bank may purchase, sell, underwrite and hold certain investment securities in an amount up to 100% of the universal bank's capital. A universal bank may not invest greater than 20% of its capital in any one obligor or issuer. Subject to certain limits, the bill also allows a universal bank to purchase, sell, underwrite and hold equity securities. Universal banks may also invest in certain housing properties and projects and profit–participation projects. The bill provides that a universal bank also may invest without limitation in several specific types of securities. The universal bank may invest in risk management instruments, including financial

futures transactions, financial operations transactions and forward commitments, solely for the purpose of reducing, hedging or otherwise managing its interest rate risk exposure. In addition, a universal bank may invest in other financial institutions. However, the bill contains specific provisions governing the purchase by a universal bank of its own stock and of stock in banks and bank holding companies.

4. The bill grants a universal bank the authority to establish the types and terms of deposits that the universal bank solicits and accepts. A universal bank may pledge its assets as security for deposits and, with the approval of the division of banking, may securitize its assets for sale to the public. In addition, a universal bank may exercise certain safe deposit and trust powers.

5. A universal bank may exercise all powers necessary or convenient to effect the purposes for which the universal bank is organized or to further the businesses in which the universal bank is lawfully engaged. In addition, the bill allows a universal bank to engage in activities that are reasonably related or incident to the purposes of the universal bank. The bill specifies numerous activities that are either reasonably related or incidental powers, including real estate–related services; insurance services, other than insurance underwriting; securities brokerage; investment advice; securities and bond underwriting; mutual fund activities; financial consulting; and tax planning and preparation. A universal bank may also engage in any activity permitted to be engaged in by bank holding companies under the federal Bank Holding Company Act.

Under Wisconsin's version of the Uniform Unclaimed Property Act (UUPA), the holder of certain types of intangible property that is presumed to be abandoned must report and deliver the property to the state treasurer. If the presumption that the property is abandoned is incorrect, the holder must file a statement with the state treasurer explaining the error in the presumption. The UUPA defines intangible property to include a sales credit reflected in a vendor's bookkeeping. This bill excludes from the definition of intangible property a balance credited by a business association to a commercial customer's account in the ordinary course of business. Thus, the bill eliminates the requirement that a vendor either report and deliver to the state treasurer a sales credit issued to a commercial customer's account or file a statement with the state treasurer explaining why the sales credit is not reportable as abandoned property.

Under current law, certain articles and substances, including toys containing mercury, are statutorily banned from being sold or distributed in this state. This bill expands the ban to include fever thermometers that contain mercury.

Under current law, a person who owns a meter used to sell or deliver liquefied petroleum gas must comply with certain requirements to ensure the accuracy of the meter and the price charged to the purchaser. These requirements include registering the meter with the department of agriculture, trade and consumer protection (DATCP) and having the meter inspected annually by a meter servicing

company that is licensed by DATCP. The meter service company then must file with DATCP a report of the test results.

This bill changes the registration requirement to a licensing requirement and imposes the requirement on the operator of the meter instead of the owner. The bill also imposes the requirement that the meter be inspected on the operator instead of on the owner.

Current law imposes fees on meter owners for failing to comply with these registration and testing requirements and on meter servicing companies for failing to comply with the reporting requirements. This bill authorizes DATCP to suspend or revoke operator licenses for and meter and servicing licenses for these failures.

On January 1, 1999, 11 members of the European Union (Germany, France, Italy, Spain, the Netherlands, Belgium, Portugal, Finland, Ireland, Austria and Luxembourg) adopted the euro as their single currency. Beginning on January 1, 1999, there is a three–year period for the conversion of the currencies of the members to the euro. On January 1, 2002, euro notes and coins will be introduced and on July 1, 2002, the member currencies will be withdrawn from circulation.

This bill provides a general mechanism for interpreting contracts or other legal instruments that are entered into or executed in this state or that contain provisions that require the contract or other legal instrument to be interpreted according to the laws of this state and that use currencies or other monetary units affected by the introduction of the euro. Generally, under the bill, any contract or other legal instrument that uses a currency or other monetary unit that is affected by the euro must use the euro as a commercially reasonable substitute for the currency or monetary unit. The bill also provides that no person may discharge or otherwise excuse performance under any contract or other legal instrument, or unilaterally alter the terms of, or terminate, any contract or other legal instrument, as a result of the requirement that the euro be a commercially reasonable substitute for the currency or monetary unit.

This bill changes the name of the division of savings and loan in DFI to the division of savings institutions.

This bill authorizes DFI to charge members of the public a fee for accessing or using DFI's databases or computer systems.

BUILDINGS AND SAFETY

Under current law, the department of commerce regulates private sewage systems. A private sewage system is a sewage treatment system with a septic tank or an alternative sewage system approved by the department of commerce, such as a holding tank. Under current law, a person who is responsible for a point source of pollution (pollution from a pipe or similar conveyance into the surface water or groundwater of this state) is generally required to obtain a water pollution discharge permit from the department of natural resources (DNR).

Under this bill, the department of commerce regulates small sewage systems rather than private sewage systems. A small sewage system either is a wastewater treatment and disposal system that discharges below the surface of the ground and that has a design flow that does not exceed a maximum established by the department of commerce or is a holding tank. The bill authorizes DNR to exempt small sewage systems from the requirement to obtain a water pollution discharge permit.

Current law charges governmental units (counties in which small sewage systems are located or, for counties with a population of at least 500,000, the cities, villages or towns in which such systems are located) with certain regulatory duties concerning private sewage systems. Governmental units may delegate these regulatory duties to town sanitary districts or certain public inland lake protection and rehabilitation districts if these districts consent. This bill permits governmental units to delegate these regulatory duties to the department of commerce if the department consents.

Under current law, one statute authorizes governmental units to issue sanitary permits for the installation of small sewage systems and another statute authorizes both the department of commerce and governmental units to issue sanitary permits. The department's practice has been to issue sanitary permits for the installation of small sewage systems on state–owned property only. This bill permits both the department and governmental units to issue sanitary permits for the installation of small sewage systems on either private or state–owned property.

Current law prohibits a governmental unit from issuing a sanitary permit for the installation of a small sewage system if the department of commerce finds that the governmental unit has not adopted a small sewage system ordinance, as required by law, or if the governmental unit fails to carry out its regulatory duties concerning small sewage systems. This bill provides instead that the department may order the governmental unit to remedy its failure to adopt a small sewage system ordinance or to carry out its regulatory duties.

Under current law, the department of commerce administers a grant program for the replacement or rehabilitation of certain types of failing small sewage systems. Generally, a covered system is one that discharges sewage into surface water, groundwater or bedrock or to drain tile or the surface of the ground. Under the program, the department awards grants to eligible local governmental units which, in turn, award grants to eligible individuals and businesses. A person is generally eligible for a grant to replace or rehabilitate a failing sewage system if, among other things, he or she owns a principal residence that was constructed and inhabited before July 1, 1978, and that is served by a covered system and if the person's annual Wisconsin adjusted income does not exceed $45,000. If there is insufficient funding for all eligible individuals and businesses, the grants are prorated.

Under this bill, in a year in which the department of commerce must prorate funds under the program, a local governmental unit that received a prorated grant may apply for a no–interest loan to increase the prorated grants provided to eligible

individuals and businesses. To obtain a loan, a local governmental unit must enter into a financial assistance agreement with the department of administration and the department of commerce. In addition, the bill provides that a person is eligible for a grant if the system serving the principal residence was installed before July 1, 1978, the person's federal adjusted gross income does not exceed $45,000 and the person meets the other eligibility requirements.

Current law requires small sewage systems to be inspected every three years by, among others, persons licensed by DNR to service septic tanks (pumpers). This bill eliminates pumpers as a class of approved inspectors for small sewage systems and adds small sewage system inspectors certified by the department of commerce. The bill also eliminates the three–year inspection requirement and requires instead that the department of commerce establish a schedule for the inspection or pumping of systems.

Current law requires cities and metropolitan sewerage districts to report to the department of commerce each failure of a state licensed plumber to qualify as a journeyman or master plumber and each wilful violation of any plumbing regulation. This bill eliminates this reporting requirement.

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

This bill provides that the department of corrections (DOC) 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 any information that may serve to identify a minor or have access to an individual's financial transaction card numbers, checking or savings account numbers or social security number. Under the bill, a financial transaction card means an instrument or device issued to the cardholder for obtaining anything on credit, for certifying or guaranteeing the availability of funds sufficient to honor a draft or check or for gaining access to an account.

Under current law, DOC may, until July 1, 1999, operate the juvenile secured correctional facility at Prairie du Chien as a state prison for nonviolent offenders who are not more than 21 years of age. This bill extends that authority to July 1, 2001.

This bill requires DOC to establish a probation and parole holding and alcohol and other drug abuse treatment facility in Milwaukee, a medium security correctional institution in Redgranite and a medium security correctional facility in New Lisbon.

JUVENILE CORRECTIONAL SYSTEM

Under current law relating to community youth and family aids (generally referred to as "youth aids"), various state and federal funds are allocated to counties to pay for state–provided juvenile correctional services and local

delinquency–related and juvenile justice services. DOC charges counties for the costs of services provided by DOC. This bill provides new per person daily cost assessments upon counties for juvenile placements during the 1999–2001 fiscal biennium as follows:

Placement	*7/1/1999 to 12/31/1999*	*1/1/2000 to 12/31/2000*	*1/1/2001 to 6/30/2001*
Juvenile correctional institution	$ 157.29	$ 158.46	$ 159.62
Transfers from a juvenile correctional institution to a treatment facility	$ 157.29	$ 158.46	$ 159.62
Child caring institution	$ 169.24	$ 172.46	$ 175.67
Group home	$ 117.42	$ 119.65	$ 121.88
Foster care	$ 26.17	$ 26.67	$ 27.16
Treatment foster care	$ 75.37	$ 76.80	$ 78.23
Departmental corrective sanctions services	$ 85.18	$ 80.67	$ 76.67
Departmental aftercare	$ 16.85	$ 17.03	$ 17.20

Under current law, DOC may operate or contract for the operation of secured correctional facilities for holding in secure custody juveniles who have been adjudicated delinquent and placed in a secured correctional facility under the supervision of DOC by the court assigned to exercise jurisdiction under the juvenile justice code (juvenile court). Current law also permits DOC to license child welfare agencies to operate secured child caring institutions (secured CCI's) for holding in secure custody juveniles who have been adjudicated delinquent and referred to the child welfare agency by the juvenile court or by DOC. A juvenile court may place a juvenile in a secured correctional facility or a secured CCI only if the juvenile has been adjudicated delinquent for committing an act that would be punishable by a sentence of six months or more if committed by an adult and has been found to be a danger to the public and in need of restrictive custodial treatment.

This bill permits the county board of supervisors of not more than one county to establish, and DOC to license, a secured group home for holding in secure custody juveniles who have been adjudicated delinquent for committing an act that would be punishable by a sentence of six months or more if committed by an adult, who have been found to be a danger to the public and in need of restrictive custodial treatment and who have been placed under the supervision of DOC by the juvenile court.

Under current law, various laws apply to juveniles who are placed in a secured correctional facility or a secured CCI. Those laws relate to such subjects as sex offender registration, the commitment of sexually violent persons, a

deoxyribonucleic acid data bank of sex offenders, human immunodeficiency virus (HIV) testing when certain persons have been significantly exposed to HIV, adult jurisdiction and criminal penalties for certain persons who commit assault, transfers to a state treatment facility, aftercare planning, escape, notification of victims and witnesses when a juvenile is released or escapes from correctional custody, taking runaways into custody, strip searches and an exception to the open records law when disclosing a record would endanger the security of an institution. This bill applies those laws to juveniles who are placed in a secured group home in the same manner as those laws apply to juveniles who are placed in a secured correctional facility or a secured CCI.

Under current law, DOC provides a corrective sanctions program for juveniles who have been placed under the supervision of DOC. Under the corrective sanctions program, DOC must place a participant in the community, provide intensive surveillance of the participant and provide an average of $5,000 per year per slot to purchase community–based treatment services for participants. This bill reduces the amount that DOC must provide to purchase community–based treatment services for corrective sanctions program participants to $3,000 per year per slot.

COURTS AND PROCEDURE

CIRCUIT COURTS

Current law provides for limited payment of attorney fees by the unsuccessful litigant to the successful litigant in all civil actions. In a civil action concerning money damages or property, the successful litigant is entitled to attorney fees based on the following schedule:

Amount recovered/value of property	*Fee*
$1,000 or more	$100
$500 to $999.99	$ 50
$200 to $499.99	$ 25
Under $200	$ 15

This bill changes the amount of attorney fees allowed in these cases as follows:

Amount recovered/value of property	*Fee, not to exceed*
Greater than $5,000	$500
$1,000 to $5,000	$300
Under $1,000	$100

The bill also increases the amount of attorney fees recoverable in civil cases that do not involve money damages or property from a maximum of $100 to a maximum of $500.

Under current law, in civil cases certain disbursements, such as those made for the costs of certified copies of public papers or records, postage and depositions, are

recoverable by the successful litigant, but are limited to $50 for each item. This bill expands the list of disbursements that are recoverable to include such items as overnight delivery and facsimile transmissions and increases the limit to $100 for each item. The bill also increases the amount that a successful litigant may recover for the cost of each expert witness testifying on behalf of the successful litigant from $100 to $300 and for filing a motion from $50 to $300.

Under current law, when the clerk of circuit court collects a fee from a person commencing a civil action, including garnishment, small claims and forfeiture actions, the clerk is also required to collect a $7 justice information system fee. Four–sevenths of the $7 fee is used to pay the costs incurred by the department of administration to develop and operate the automated justice information system. Two–sevenths of the $7 fee is used to pay the costs incurred by the director of state courts for the operation of the circuit court, court of appeals and supreme court automated information systems and for the payment of interpreter fees. The remaining $1 of the fee does not have a specified purpose.

This bill raises the justice information system fee from $7 to $9 and uses the additional $2 of each fee to pay the costs incurred by the director of state courts for the operation of the circuit court, court of appeals and supreme court automated information systems and for the payment of interpreter fees.

PUBLIC DEFENDER

Under current law, the state public defender (SPD) provides legal representation to indigent persons in criminal, delinquency and certain related cases. The SPD assigns cases either to staff attorneys in the agency's trial division or local private attorneys. A staff attorney working in the trial division is expected to meet an annual caseload standard. This bill provides that, beginning on July 1, 2000, the SPD may exempt up to ten staff attorneys in the trial division from the annual caseload standards based on the need of those attorneys to perform other assigned duties.

OTHER COURTS AND PROCEDURE

Under current law, the department of agriculture, trade and consumer protection (DATCP) administers and enforces certain consumer protection and trade practices laws. These laws include laws prohibiting or regulating methods of competition, fraudulent representations, fraudulent drug advertising, prize notices, mail–order sales, purchases of vegetables and dairy products from farmers and advertising of telecommunication services. They also include laws relating to weights and measures. A person found to have violated one of these laws is subject to a forfeiture or a fine.

This bill requires a court to impose an assessment equal to 15% of the fine or forfeiture if the court imposes a fine or forfeiture for a violation of any of these laws or local ordinances enacted pursuant to these laws. The assessments that are

collected are appropriated to the department of agriculture, trade and consumer protection to pay for providing consumers with information and education.

Currently, the state is immune from most lawsuits. Although state authorities, local governments and state and local governmental officers, employes and agents may be sued, statutory and common law limitations severely limit the types of lawsuits that may be brought against, and the amounts and types of damages that may be recovered from, these entities. Currently, these entities may also limit their liability by contract.

This bill prohibits lawsuits, to the extent that they are now permitted, against these entities for the alleged failure to deal with the failure of a computer system to handle any date, or the inability of a computer system to interpret, produce, calculate, generate, utilize, manipulate, represent or account for any date, if the entities make a good faith effort to address the alleged failure. The immunity provided by the bill may not be waived.

The bill also eliminates current requirements for the state and local governments to pay interest to vendors on late payments arising from date–related failures described above.

Under current law, the governmental unit that provides certain public assistance benefits as a result of an injury, sickness or death that creates a claim or cause of action on the part of a public assistance recipient or beneficiary or his or her estate against a third party must be joined by the plaintiff as a party to the claim or action. The governmental unit has the right to recover from the third party the amount provided in public assistance benefits. This is known as subrogation. The governmental unit may make a claim or maintain an action or intervene in a claim or action by the recipient, beneficiary or estate against the third party. A party that is joined in a cause of action based on subrogation may, among other things, agree to have his or her interests represented by the party who caused the joinder. If this option is selected the subrogated party must sign a written waiver of the right to participate in the action.

Under this bill, if the department of health and family services (DHFS) is joined based on subrogation because of the provision of medical assistance (MA) benefits, DHFS need not take any affirmative action in order to have its interests represented by the party causing the joinder.

Currently, an attorney retained to represent a current or former recipient of public assistance benefits, or the recipient's estate, in asserting a claim that is subrogated, must provide notice of the claim, and of any award or settlement, to the governmental unit that provided the benefits. If an attorney is not representing the current or former recipient of public assistance in asserting a claim that is subrogated, the current or former recipient or his or her guardian most provide the notice. If the recipient is deceased, the personal representative of the recipient's estate must provide the notice if an attorney is not representing the estate.

This bill requires a person against whom a subrogated claim is made, or that person's attorney or insurance company, to provide notice of the claim, and of any

award or settlement, to DHFS if that person, or that person's attorney or insurer, knows or should know that the claim is subrogated because of the provision of MA benefits. Additionally, under this bill, if DHFS or a county is a subrogated party because of the provision of MA benefits, the subrogation creates a lien on the claimant's recovery, equal to the amount of the MA paid as a result of the injury, sickness or death that gave rise to the claim.

Under current law, DHFS must file a claim against the estate of a recipient of certain health aids for the amount of aid paid to the recipient. If the recipient's spouse or minor or disabled child survives the recipient, and the recipient's estate includes an interest in a home, the probate court must, in the final judgment, assign the interest in the home subject to a lien in favor of DHFS for the amount of DHFS's claim. Currently, small estates may be settled or assigned summarily, in which case a final judgment is not entered. Instead, a summary order is entered. This bill states that the lien requirement extends to cases in which assignment of the home is made by summary order.

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law allows up to 15% of the enrollment of the Milwaukee Public Schools (MPS) to attend, at no charge, any private school located in the city of Milwaukee under certain circumstances. The state pays the parent or guardian of the pupil an amount equal to the amount of per pupil aid that MPS receives from the state or an amount equal to the private school's educational cost per pupil, whichever is less. The parent or guardian must endorse the check for the use of the private school. The state reduces the MPS school aid entitlement, for each pupil participating in the program, by the amount of per pupil aid that MPS would otherwise receive.

Under current law, the city of Milwaukee, the University of Wisconsin–Milwaukee and Milwaukee Area Technical College may establish and operate a charter school or may initiate a contract with an individual or group to operate a school as a charter school. For each pupil attending the charter school, the state pays the charter school an amount equal to the shared cost per pupil (the portion of a school district's costs that are aided by the state divided by the school district's enrollment) of MPS and reduces the MPS school aid entitlement by an identical amount.

Current law also generally limits the increase in the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to $208.88 per pupil in the 1998–99 school year and, in subsequent school years, to the amount of revenue increase allowed per pupil in the previous school year increased by the percentage change in the consumer price index. To determine the total allowable revenue increase for a school district under the revenue limit, the department of public instruction (DPI) uses a three–year rolling average pupil enrollment, which includes, for MPS, some of the pupils enrolled in the choice program and the charter schools described above. DPI may adjust a school district's revenue limit upwards or downwards for a number of contingencies,

including transfers of service responsibilities between a school district and another governmental unit and changes in a school district's boundaries. Any school district that received less in revenue per pupil in the previous school year than a revenue ceiling of $6,100 (low–revenue district) may increase its revenues up to the revenue ceiling. A low–revenue district is not subject to a revenue limit and its concomitant adjustments.

Beginning in the 1999–2000 school year, this bill replaces the per pupil inflation adjustment with a fixed revenue limit of $208.88 per pupil. The bill also provides that, beginning with aid paid in the 1999–2000 school year, pupils participating in the choice program or attending one of the charter schools described above are not counted in the enrollment of MPS for state aid purposes and are not counted in the three–year rolling average for revenue limit purposes. The MPS school aid entitlement is not directly reduced as a result of such participation or attendance. In addition, the bill directs DPI to adjust the revenue ceiling of a low–revenue school district as if it constituted a revenue limit.

Currently, if a school district's three–year rolling average for the 1998–99 school year is less than the average of the number of pupils enrolled in the school district in the three previous school years, the school district's revenue limit is increased for the 1998–99 school year by the additional amount that would have been calculated had the decline in the three–year rolling average enrollment been 25% of what it was. This bill extends this one–year revenue limit increase for declining enrollment to subsequent school years.

Current law generally provides that the enrollment of a school district in the previous school year must be used to calculate general school aid for the current school year. The enrollment of MPS, however, includes pupils in the choice program in the current school year who were enrolled in grades kindergarten to three in a private school located in Milwaukee in the previous school year and who did not participate in the choice program. This bill eliminates these additional choice pupils from MPS enrollment for calculating general state aid.

Current law provides two special state aid adjustments for any school district that would otherwise receive in any school year less than 85% of the aid that it received in the previous school year. If a school district is eligible for both of these special state aid adjustments, the school district's state aid is increased to an amount equal to 85% of the state aid that the school district received in the previous school year. A school district is entitled to receive a special state aid adjustment only if the additional aid does not result in a state aid payment greater than the school district's shared cost. This bill provides that, if a school district is eligible for both special state aid adjustments, the school district receives the greater adjustment if the additional aid does not result in a state aid payment greater than the school district's shared cost.

Under current law, if a school district exceeds its revenue limit without referendum approval, DPI must reduce the school district's state equalization aid payment by the excess revenue amount. If a school district's equalization aid is less

than the penalty amount, DPI must reduce the school district's other state aid payments until the remaining excess revenue is covered. If the aid reduction is still insufficient to cover the excess revenues, DPI must order the school board to reduce the property tax levy by an amount equal to the remainder of the excess amount or refund the amount with interest, if taxes have already been collected. DPI does not include the excess revenue in the school district's base. This bill imposes these same penalties on low–revenue school districts that exceed their revenue ceilings.

Current law requires each school board to adopt either its own academic standards or the academic standards contained in the governor's executive order issued January 13, 1998, and to administer fourth and eighth grade promotional examinations to fourth and eighth grade pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district. Beginning in the 2000–01 school year, each school board must also administer a high school graduation examination that is designed to measure whether pupils have met the academic standards adopted by the school board. A school board may either adopt examinations developed by DPI or develop its own examinations. A school board must notify DPI if it adopts its own high school graduation examination instead of the high school graduation examination developed by DPI, and it must determine the high school grades in which the examination is administered each school year.

This bill provides that a school board must administer the high school graduation examination to all pupils enrolled in a charter school located in the school district other than a Milwaukee charter school described above. The bill also provides that the operator of a Milwaukee charter school must adopt academic standards and administer fourth, eighth and high school graduation examinations to pupils enrolled in the charter school. The operator may either adopt DPI's examinations or develop its own. In addition, the bill requires a school board or the operator of a Milwaukee charter school to notify DPI annually by October 1 if it intends to administer its own high school graduation examination in the following school year and provides that, beginning in the 2001–02 school year, the high school graduation examination may be administered only to 11th and 12th graders.

Current law requires each school board and operator of a Milwaukee charter school to administer the tenth grade examination developed by DPI to all tenth graders enrolled in the school district or the charter school. This requirement does not apply after the 2000–01 school year. This bill eliminates the expiration of the tenth grade examination requirement.

Under current law, beginning September 1, 2002, a school board may not grant a high school diploma to a pupil unless he or she passes the high school graduation examination. Beginning July 1, 2002, a pupil may not be promoted from the fourth to the fifth grade or from the eighth to the ninth grade unless the pupil passes the fourth and eighth grade promotional examinations. A pupil's parent or guardian, however, may excuse a pupil from taking any of these examinations. A pupil who is excused must satisfy alternative criteria for promotion or graduation.

This bill imposes upon operators of Milwaukee charter schools the same prohibitions against promotion that are imposed upon school boards. Finally, the bill eliminates the authority of a pupil's parent or guardian to excuse the pupil from taking the high school graduation examination.

Under current law, a school board, board of control of a cooperative educational service agency (CESA) or a county children with disabilities education board is eligible for special education aid if the state superintendent of public instruction is satisfied that the special education program has been maintained according to law. This aid is equal to a percentage of the amount expended on special education costs in the preceding school year.

This bill eliminates the reimbursement rates for handicapped education costs and school age parents program costs and directs that aidable costs be fully reimbursed, subject to the availability of funds. The bill also provides that the operator of a Milwaukee charter school described above is eligible for special education aid, on a current school year basis, if the operator operates a special education program and the state superintendent is satisfied that the operator has complied with the federal Individuals With Disabilities In Education Act as though the operator were a school board.

Under current law, a charter school may be established by, among other things, petitioning the school board of the school district in which the charter school will be located to enter into a contract with a person to establish and operate a charter school. Within 30 days after receiving a charter school petition, the school board must hold a public hearing on the petition. The MPS board must grant or deny a petition to establish a charter school within 30 days after the public hearing. If the MPS board denies the petition, the person seeking to establish a charter school may, within 30 days of the denial, appeal the denial to the state superintendent of public instruction, who must decide the appeal within 30 days after receiving it.

This bill requires all school boards to grant or deny a charter school petition within 30 days after the public hearing and permits the person seeking to establish a charter school to appeal a denial of a charter school petition to the state superintendent.

Under current law, the Milwaukee charter schools described above are not instrumentalities of MPS, and the MPS board may not employ any personnel for these charter schools. If, however, the city of Milwaukee contracts with an individual or group operating for profit to operate a charter school, the charter school is an instrumentality of MPS and the MPS board must employ all personnel for the charter school.

This bill provides that if the city of Milwaukee contracts with an individual or group operating for profit to operate a charter school, the charter school is not an instrumentality of MPS, and the MPS board may not employ any personnel for the charter school.

Current law authorizes the MPS board to contract with any nonsectarian private school located in the city to provide educational programs for pupils enrolled in the school district. The MPS board may also close any school that it determines is low in performance. If the MPS board closes a school or reopens a school that has been closed, the superintendent of schools may reassign the school's staff without regard to seniority in service. In addition, the MPS board is prohibited from bargaining collectively with respect to: 1) the board's decision to contract with a private nonsectarian school or private nonsectarian agency in the city to provide educational programs to pupils, or the impact of any such decision on the wages, hours or conditions of employment of the employes who perform those services; or 2) the reassignment of employes who perform services for the board, with or without regard to seniority, as the result of a decision of the board to close or reopen a school or to contract with a person to operate a charter school or convert a school to a charter school, or the impact of any such reassignment on the wages, hours or conditions of employment of the employes who perform those services. This bill extends the above provisions to cover all school boards.

This bill provides that, beginning in 2001, no public school may commence its school term until September 1. The bill specifies that the prohibition does not prevent a school board from holding athletic contests or practices before that date, scheduling in–service days or work days before that date or holding school year–round.

In the 1996–97 and 1998–99 school years, a school board having a school with an enrollment that was at least 50% low–income in the previous school year was permitted to enter into a five–year achievement guarantee contract with DPI on behalf of one school in the school district (and up to ten schools in MPS) if, among other things, in the previous school year that school had an enrollment that was at least 30% low–income. Under these contracts the school district must reduce class size and improve academic achievement in grades kindergarten to three in the school or schools covered by the contract in exchange for receiving state aid.

This bill permits a school board to enter into a five–year achievement guarantee contract beginning in the 2000–01 school year on behalf of one or more schools if, among other things, in the previous school year a school in the school district had an enrollment that was at least 50% low–income and each school on whose behalf the school board contracts had an enrollment that was at least 62% low–income (80% low–income for MPS).

Under current law, a school board may request DPI to waive school board or school district requirements except those pertaining to, among other things, teacher licensing. This bill permits a school board to request a waiver of the teacher licensing requirement.

This bill prohibits the state superintendent of public instruction from renewing a teaching license unless the person seeking renewal has received training in educational technology.

Current law directs DPI to award a $2,000 grant in the 1999–2000 school year to any person who is certified by the National Board for Professional Teaching Standards (NBPTS) before July 1, 2000, and who satisfies several additional conditions. In the 2000–01 school year, DPI must award a $2,500 grant to each person who received a $2,000 grant, maintains his or certification by the NBPTS and satisfies several additional conditions.

This bill eliminates all of the above dates. Under the bill, a person who becomes certified by the NBPTS receives the initial $2,000 grant in the school year in which he or she becomes certified. The bill also directs DPI to award the person a $2,500 grant in each of the succeeding nine years.

Under current law, referenda are required or authorized to be held by school districts to incur debt or exceed state revenue limits, or to exceed the levy rate limit for a school construction fund that is applicable only to MPS. Currently, these referenda are required or authorized to be held at special elections when no offices appear on the ballot.

This bill provides that such referenda must be held concurrently with the spring election (held in each year) or the general election (held in each even–numbered year), or on the Tuesday after the first Monday in November in an odd–numbered year.

Current law directs DPI, the department of administration (DOA) and the legislative fiscal bureau to estimate jointly the amount necessary to appropriate as general school aid to ensure that the total amount of state aid received by all school districts equals two–thirds of total school district revenues from state aid and property taxes.

This bill provides that the amounts received by school districts to compensate them for the reduction in their tax bases due to the property tax exemption for computers is included in the calculation of school district revenues.

Under current law, the state superintendent of public instruction administers four alcohol and other drug abuse prevention and intervention grant programs for school districts. Current law also limits the amount the state superintendent may award under each grant program.

This bill consolidates the alcohol and other drug abuse prevention and intervention programs into one grant program administered by the state superintendent and allows a school board to apply for a grant to fund any kind of alcohol and other drug abuse prevention and intervention program. In addition, the bill eliminates the limit on the amount of each grant that the state superintendent may award.

This bill directs the state superintendent to award grants to school districts, CESAs and other persons for staff development.

This bill directs the state superintendent to consult with the technology for educational achievement in Wisconsin (TEACH) board before awarding school technology resource grants. School technology resource grants are funded with federal moneys and are awarded to school districts for various educational technology purposes.

Current law authorizes the state superintendent to award a grant to a nonprofit corporation to fund partially the costs of planning, developing and operating a youth village program. A youth village program is a residential program that provides an alternative education for pupils whose life outside school seriously interferes with their educational progress and who are functioning below their grade level in basic academic skills, are behind in academic credits or have a record of poor grades or attendance problems. This bill eliminates the youth village grant program.

This bill directs DPI to award grants to school districts for smoking prevention programs in grades kindergarten to eight. A grant may not exceed $10,000.

Under current law, DPI distributes general purpose revenue to head start agencies, which provide comprehensive health, educational, nutritional, social and other services to economically disadvantaged children and their families. This bill changes the source of the funding for the head start program and a variety of other early childhood education programs from general purpose revenue to moneys from the federal temporary assistance for needy families block grant.

Under current law, an alternative school for American Indians may voluntarily establish an American Indian language and culture education program. If the alternative school meets certain management and accounting criteria, it is eligible to receive $185 from DPI for each pupil who completes the fall semester in the program of instruction. This bill increases the aid for which the alternative school is eligible to $200 per pupil and provides that this aid is paid from moneys derived from Indian gaming receipts.

Under current law, a pupil who transfers from one school district to another to reduce racial imbalance under the interdistrict special transfer program (commonly known as chapter 220) is counted as one pupil for state aid and revenue limit purposes by the school district in which the pupil resides. A school district that participates in the intradistrict special transfer program receives additional state aid.

This bill provides that each interdistrict transfer pupil is counted by the school district in which he or she resides as one–half pupil for state aid and revenue limit

purposes. The bill also requires MPS to use at least 10% of the intradistrict aid that it receives in each school year to build or lease neighborhood schools.

HIGHER EDUCATION

Current law prohibits the University of Wisconsin Hospitals and Clinics Authority (UWHCA) from issuing bonds or incurring additional indebtedness if the aggregate amount of the UWHCA outstanding bonds, together with all other indebtedness of UWHCA, exceeds $50,000,000. This bill increases this amount to $90,000,000. In addition, the bill prohibits UWHCA from issuing any new bonds for the purpose of purchasing a clinic or a hospital.

Under current law, DOA administers the college tuition prepayment program, which allows an individual, a trust or a legal guardian to purchase tuition units from DOA that may be redeemed in the future to pay tuition at any accredited institution of higher education in the United States.

This bill transfers administration of the college tuition prepayment program from DOA to the state treasurer. The bill also makes two modifications to the program. Under current law, if a contract is terminated, under certain circumstances DOA may not issue a refund for one year and may not issue a refund of more than 100 tuition units in any year. This bill eliminates these restrictions and clarifies that tuition units may be used to pay mandatory student fees.

Under current law, the board of regents of the University of Wisconsin (UW) System may exempt up to 200 students at the UW–Parkside campus and up to 150 students at the UW–Superior campus from nonresident tuition in programs identified as having surplus capacity. This tuition award program (TAP) terminates at the end of the 1998–99 academic year. This bill extends the termination date of TAP until the end of the 2000–01 academic year.

Under current law, all academic student fees received by the board of regents of the UW System are credited to an appropriation account that funds degree credit instruction for the UW System. However, the board may, with some exceptions, spend only the amounts in the appropriation schedule for degree credit instruction. This bill, with some exceptions, authorizes the board to spend all academic student fee revenue it receives for degree credit instruction.

This bill directs the board of regents of the UW System to allocate $1,000,000 from the UW System's general program operations appropriation in each year of the biennium to advance the work of the UW center for tobacco research and intervention.

This bill enumerates in the 1999–2001 state building program a full–scale aquaculture demonstration facility to be built at Ashland and to be operated by the board of regents of the UW System. Under the bill, $3,000,000 in program revenue supported borrowing is authorized for the construction of the facility. The program

revenue that will support the borrowing consists of moneys received by the state from the Indian gaming compacts.

Current law directs the technical college system (TCS) board to administer, or contract for the administration of, the telecommunications retraining program. Under the program, which is funded by contributions from telecommunications companies, certain telecommunications industry workers are eligible to receive grants for retraining. The program expires at the end of the 1998–99 fiscal year.

This bill extends the expiration date of the program to June 30, 2000, and requires additional contributions from telecommunications companies if the telecommunications retraining board determines that additional contributions are necessary.

This bill directs the TCS board to produce an annual statewide guide containing information on all of the technical colleges and their programs and to distribute it to students, parents, high school personnel and others. For this purpose, the bill authorizes the board to use up to $125,000 of the amount appropriated each fiscal year as state aid for the technical colleges.

This bill directs the TCS board to award a grant in the 1999–2001 fiscal biennium to the Waukesha County Technical College for the development of its printing program.

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, the educational communications board (ECB) is responsible for overseeing and coordinating the provision of public broadcasting to Wisconsin. In addition, the board of regents of the UW System, as licensee, must manage, operate and maintain a radio and television station and provide the ECB part–time use of equipment and space necessary for the operations of the state educational radio and television networks.

This bill directs the secretary of administration, the president of the UW System and one person chosen by the governor to draft and file articles of incorporation for a nonstock, nonprofit educational broadcasting corporation and to take all actions necessary to exempt the corporation from taxation under the Internal Revenue Code. In addition, these persons must prepare and submit to the joint committee on finance (JCF) for JCF's approval an operational plan for the corporation that includes a list of those persons employed by the board of regents and the ECB who are best–suited to provide educational broadcasting services for the corporation and an estimate of the level of funding necessary to cover the corporation's annual operating expenses.

The corporation is entitled to receive state aid for initial administrative expenses if its articles of incorporation state that the purpose of the corporation is to provide educational broadcasting to this state; the articles of incorporation name as initial directors the secretary of administration, two representatives to the assembly, two senators, a member of the board of regents and three individuals

selected by the governor; and the initial board of directors of the corporation submits an application to the federal communications commission (FCC) to transfer all broadcasting licenses held by ECB and the board of regents to the corporation.

If the FCC approves the transfer of all broadcasting licenses held by the ECB and the board of regents to the corporation, the ECB is eliminated on the effective date of the transfer of the broadcasting licenses. In addition, the corporation is entitled to receive additional state aid for operational expenses if, among other things, the board of directors of the corporation offers employment beginning on the effective date of the transfer of all of the broadcasting licenses to those individuals designated in the operational plan; the board of directors of the corporation negotiates with the board of regents and the secretary of administration for the use of state–owned equipment and space necessary for the operations of educational radio and television networks; and the secretary of administration approves any amendment to the corporation's articles of incorporation or bylaws.

This bill requires DOA to prepare a report on the privatization of state–owned and state–leased communications towers that are used for public broadcasting, except for the Milwaukee Area Technical College tower. The report must include a plan for implementing privatization. No later than June 30, 2000, DOA must submit the report to JCF for its approval.

Under current law, the public service commission (PSC) requires certain telecommunications providers to make contributions to the universal service fund. Moneys in the fund must be used for programs administered by the PSC for programs to promote universal access to telecommunications services and affordable access to high–quality education, library and health care information services, including a program for providing institutions with support payments for certain telecommunications services (institutional assistance program), and for certain other PSC programs. In addition, the fund is used for certain programs administered by the TEACH board, including an educational telecommunications access program for providing data lines and video links to certain educational institutions.

This bill eliminates the requirement for the PSC to use moneys in the fund to promote affordable access to high–quality education, library and health care information services. The bill also transfers the institutional assistance program to the TEACH board, which must provide support payments to eligible institutions as determined by the PSC. In addition, all of the PSC's duties regarding the educational telecommunications access program, except the PSC's duties regarding requiring telecommunications providers to contribute to the fund, are transferred to the TEACH board.

Under this bill, federated and consolidated public library systems and the Wisconsin Schools for the Visually Handicapped and the Deaf may also participate in the educational telecommunications access program. The bill allows any educational agency that participates in the program to obtain access to more than one data line if it can show to the satisfaction of the TEACH board that the additional lines are more cost–effective than a single line. An educational agency that obtains

access to a data line under the program may enter into a shared service agreement with a city, village, town or county (political subdivision) that provides the political subdivision with access to any excess bandwidth on the data line that the educational institution does not use. A political subdivision that obtains access to bandwidth may not receive compensation for providing access to the bandwidth to any other person and no moneys from the universal service fund may be used to pay installation costs that are necessary to provide a political subdivision with access to the bandwidth. The bill also prohibits an educational agency from requesting access to an additional data line under the program for the purpose of providing a political subdivision with access to excess bandwidth and from providing access to a data line under the program to a private business entity.

Current law directs the TEACH board to award educational technology training and technical assistance grants, on a competitive basis, to CESAs and to consortia consisting of two or more school districts or CESAs, or of one or more school districts or CESAs and one or more public library boards. This bill requires that at least one of these grants be awarded annually to an applicant located in the territory of each CESA. The bill also directs the TEACH board, beginning in the 2000–01 fiscal year, to award at least one grant in each fiscal year 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 six.

Under current law, the Wisconsin Advanced Telecommunications Foundation provides funding for certain advanced telecommunications technology application projects and for efforts to educate telecommunications users about advanced telecommunications services. This bill allows the TEACH board to contract with the foundation to provide administrative services to the foundation.

Under current law, the educational approval board (EAB), which is attached to the higher educational aids board (HEAB), approves and supervises education and training of veterans under certain programs under federal law. EAB also regulates certain schools, including certain proprietary schools, and the solicitation of students by such schools.

This bill eliminates EAB and transfers its functions regarding veterans' education and training to the department of veterans affairs. The bill transfers all of the other functions of EAB to HEAB. The bill creates an educational approval council to advise HEAB in carrying out its duties.

Currently, under the Wisconsin higher education grant program, HEAB awards grants to postsecondary resident students enrolled at least halftime in accredited higher education institutions in this state. Students at tribal colleges are not eligible for grants under the program. HEAB is required to promulgate rules establishing policies and procedures for determining dependent and independent student status and calculating expected parental and student contributions under

the program. Current law specifies a method for HEAB to award these grants to dependent students. HEAB also administers the tuition grant program for students enrolled at accredited, nonprofit, post–high school educational institutions and tribal colleges. In addition, HEAB administers an Indian assistance grant program to assist those Indian students who are residents of this state to receive a higher education. Grants under the Indian assistance grant program are based on financial need. One–half of each such grant is paid by the state with general purpose revenue; the other half is contributed by Indian tribes or bands.

Under this bill, students at tribal colleges are eligible for grants under the Wisconsin higher education grant program, but not for grants under the tuition grant program. The bill appropriates money derived from the Indian gaming receipts to pay for the grants awarded to tribal college students under the Wisconsin higher education grant program and to pay the state's share of each grant under the Indian assistance grant program. In addition, the bill eliminates the requirement for HEAB to promulgate rules regarding student status and expected contributions under the Wisconsin higher education grant program, as well as the method specified for awarding grants to dependent students. The bill requires instead that HEAB award grants under the Wisconsin higher education program based on a formula that accounts for expected parental and student contributions.

Currently, HEAB administers the academic excellence higher education scholarship program that awards scholarships, for up to four years of study, to certain students enrolled at participating institutions of higher education in this state who had the highest grade point averages in their high schools. This bill specifies that this program and its scholarship recipients must be referred to as the governor's scholarship program and governor's scholars, respectively, in all printed material disseminated or otherwise distributed by HEAB.

The state currently appropriates money to the state historical society from the conservation fund for interpretive programming at the Northern Great Lakes Center. This bill designates the Northern Great Lakes Center as a historic site. The bill appropriates money derived from the Indian gaming receipts for the operation of the Northern Great Lakes Center historic site. The appropriation from the conservation fund is not eliminated.

The state currently appropriates general purpose revenue to the arts board to award grants to individuals and groups concerned with the arts and to contract with individuals, organizations, units of government and institutions for services furthering the development of the arts and the humanities. This bill appropriates money derived from the Indian gaming receipts for such grants awarded to, and such contracts entered into with, American Indian individuals, groups, organizations, tribal governments and institutions.

This bill appropriates money to the Medical College of Wisconsin for the study and prevention of tobacco–related illnesses.

EMINENT DOMAIN

Under current law, any municipality, board, commission, public officer or corporation that is authorized to acquire property by condemnation and that acquires property either by purchase or by condemnation, and any entity that carries out a program or project with public financial assistance that causes any person to move or to move his or her personal property, must provide relocation benefits to persons displaced by the program or project. Relocation benefits include moving expenses, replacement housing payments and business or farm replacement payments.

This bill eliminates the authority of the department of natural resources (DNR) to acquire property by condemnation. The bill also provides that if DNR carries out a program or project that causes a person to move or to move his or her personal property, DNR is not required to provide relocation benefits. Under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, however, a person is eligible for relocation benefits specified under the federal law if a state agency (including DNR) carries out a program or project with federal financial assistance.

Finally, the bill authorizes the building commission, at the request of DNR, to acquire property by condemnation for any public purpose. Under current law, the eminent domain authority of the building commission is limited to the acquisition of land that it deems necessary for a site for Madison downtown state office facilities. If the building commission acquires property at DNR's request, whether by condemnation or purchase, it is required to provide relocation benefits.

Under current law, a property owner whose property has been partially condemned for a sewer or transportation facility must pay property taxes in the year of the condemnation for both the condemnee's remaining property and the portion of the property that was awarded to the condemnor. Current law also provides that, in a partial condemnation, the portion of the condemnee's current property tax obligation that applies to the condemnee's remaining property must be subtracted from the award of compensation for the taking. To recover both the condemnor's and the condemnee's prorated share of property taxes, the condemnee must file a claim with the condemnor.

This bill provides that, if the property owner retains a majority interest in the property after the condemnation, the condemnor may choose not to subtract the condemnee's prorated taxes from the award payment and may include the condemnor's prorated taxes in the award payment, thereby eliminating the need for the condemnee to file a claim with the condemnor.

EMPLOYMENT

Current law requires the division of connecting education and work in the department of workforce development (DWD) to administer the youth

apprenticeship and school–to–work programs provided by DWD under the federal School–to–Work Opportunities Act of 1994. Under the youth apprenticeship program, DWD must approve occupations and develop curricula for youth apprenticeship programs, and may award training grants to employers that provide on–the–job training and supervision for youth apprentices. Under the school–to–work program, DWD must approve statewide skill standards. Also under current law, DWD may award grants to nonprofit corporations and public agencies for the provision of career counseling centers that provide youths with career education and job training information and that assist youths in locating apprenticeship and other work experience opportunities that are related to the youth's education.

This bill eliminates the division of connecting education and work in DWD, creates a governor's work–based learning board attached to DWD and transfers to that board the administration of the youth apprenticeship, school–to–work and career counseling center programs. The bill transfers to the technical college system board the responsibility for developing youth apprenticeship curricula, subject to the approval of the governor's work–based learning board. Under the bill, the governor's work–based learning board is also responsible for administering a study grant program created under the bill for high school graduates who meet or exceed a grade point average determined by the governor's work–based learning board and who enroll in a technical college within one year after high school graduation, and a work–based learning program created under the bill for youths who are eligible to receive federal temporary assistance for needy families.

The bill also directs the governor's work–based learning board to award grants to local partnerships for the implementation and coordination of local youth apprenticeship programs. The bill defines a local partnership as one or more school districts, or any combination of one or more school districts, other public agencies, nonprofit organizations, individuals or other persons, who have agreed to be responsible for implementing and coordinating a local youth apprenticeship program. A local partnership that is awarded a grant may use the grant moneys to recruit employers and students to participate in the program; coordinate academic, vocational and occupational learning, school–based and work–based learning and secondary and postsecondary education for participants in the program; assist employers in identifying and training workplace mentors; and perform any other implementation or coordination activity that the governor's work–based learning board may direct or permit the local partnership to perform.

Under current law, the state superintendent of public instruction may award a grant to a nonprofit organization in Milwaukee County that is providing an innovative school–to–work program for children at risk (children who are behind their age group in the number of high school credits attained or in basic skill levels and who are dropouts, habitual truants, parents or adjudicated delinquents) to assist those children in acquiring employability skills and occupation–specific competencies before leaving high school. This bill transfers to the governor's work–based learning board the responsibility for awarding that grant.

Under current law, the Wisconsin employment relations commission (WERC) must collect fees from parties who request WERC services relating to labor disputes involving fact–finding, mediation or arbitration. This bill requires that WERC collect a fee from any party who requests that WERC assemble a panel of individuals who are not members or employes of WERC to act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement.

ENVIRONMENT

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Requirement to clean up hazardous substance spills

Current law generally requires a person who possesses or controls a hazardous substance that is discharged or who causes the discharge of a hazardous substance to restore the environment to the extent practicable and to minimize the harmful effects of the discharge on the environment. Courts have held that a person possesses or controls any hazardous substance that is present on property that the person owns. Current law generally exempts a local governmental unit (a city, village, town, county, redevelopment authority and housing authority) from these clean–up requirements with respect to hazardous substance discharges on land acquired in specified ways, such as through tax delinquency proceedings or condemnation.

This bill requires local governmental units to agree to provide access to land that is subject to the exemption for the purpose of letting someone else conduct a cleanup of the discharge. The bill also expands the local governmental exemption from the clean–up requirements in a number of ways:

1. The bill makes community development authorities eligible for the exemption.

2. Under current law, the local governmental unit exemption from clean–up requirements is not available if the discharge is from an underground petroleum storage tank. This bill eliminates that limitation.

3. The bill applies the exemption to land acquired with funds from this state's stewardship program, land acquired through escheat and land acquired from another local governmental unit that is entitled to the exemption. Land is acquired through escheat when the owner dies without a will that disposes of the land and without any heir.

4. The bill exempts a local governmental unit from the requirement to clean up a hazardous substance that has migrated from a property acquired in one of the specified ways to another property.

The bill also exempts a local governmental unit that has acquired property in one of the specified ways from certain requirements relating to hazardous waste if the hazardous waste is cleaned up, DNR approves the cleanup and other conditions are satisfied.

Under current law, a lender who acquires land through enforcement of a security interest is not liable for a discharge of a hazardous substance on that land if certain requirements are satisfied. This bill requires a lender to provide access to

the land on which the discharge occurred for the purpose of letting someone else conduct a cleanup of the hazardous substance. Under current law, the lender–liability exemption is not available if the discharge is from an underground petroleum storage tank. This bill makes the lender–liability exemption available if the discharge is from an underground petroleum storage tank.

Exemption from clean–up requirement for voluntary parties

Under current law, any person, except for a person who intentionally or recklessly caused the original discharge of a hazardous substance on a property, is called a voluntary party. A voluntary party is exempt from absolute requirements to restore the environment and minimize the harmful effects of the discharge, and from the requirements of other laws relating to hazardous substances, if an environmental investigation of the property is conducted and approved by the department of natural resources (DNR), the property is cleaned up, DNR certifies that the cleanup restored the environment and minimized the harmful effects of the discharge and the voluntary party maintains and monitors the property as required by DNR. This exemption applies even if later changes to the law impose greater responsibilities on the voluntary party or if it is discovered that the cleanup failed to fully restore the environment or to minimize the harmful effects of the discharge.

Under this bill, any person, including a person who intentionally or recklessly caused the discharge of a hazardous substance, is eligible for the voluntary party exemption under the conditions described above. The bill authorizes DNR to require a voluntary party to obtain insurance to cover the cost of a cleanup in case the initial cleanup fails.

The bill also specifies that the voluntary party exemption applies only with respect to hazardous substances released on the property before DNR approves the environmental investigation of the property. In order to qualify for the voluntary party exemption, the bill requires that both the voluntary party's property and any other property affected by a discharge originating from that property be cleaned up. Once DNR approves the cleanup, the voluntary party is exempt from further clean–up requirements on both the voluntary party's own property and any other property affected by a discharge originating from that property.

Under current law, a person is exempt from the requirements to restore the environment and minimize the effects of the discharge of a hazardous substance on the environment with respect to the existence of a hazardous substance in groundwater on property possessed or controlled by the person if the discharge originated from a source off of the property, the person agrees to allow access to the property so that someone else can conduct a cleanup and the person agrees to any other condition necessary to ensure that an adequate cleanup can be conducted.

Under this bill, for a property affected by an off–site discharge that has contaminated the groundwater and by discharges of other hazardous substances, a voluntary party is exempt from absolute requirements to restore the environment and minimize the harmful effects of the discharges, and from the requirements of other laws relating to hazardous substances, if: 1) an environmental investigation

of the property is conducted and approved by DNR; 2) the property is cleaned up, except with respect to the discharge that originated off–site; 3) DNR certifies that the cleanup restored the environment and minimized the harmful effects of the discharge, except with respect to the discharge that originated off–site; 4) DNR determines in writing that the voluntary party qualifies for the off–site exemption; and 5) the voluntary party maintains and monitors the property as required by DNR.

Currently, a person may be allowed to use natural attenuation to clean up a hazardous substance in groundwater if DNR determines that natural attenuation will bring the groundwater into compliance with groundwater standards within a reasonable period. "Natural attenuation" means the reduction in the amount and concentration of a substance in groundwater that occurs because of natural processes.

Under this bill, if groundwater on a property is contaminated by a hazardous substance in a concentration that exceeds a groundwater standard and DNR determines that natural attenuation will restore groundwater quality, a voluntary party is exempt from absolute requirements to restore the environment and minimize the harmful effects of the discharges, and from the requirements of other laws relating to hazardous substances, if: 1) an environmental investigation of the property is conducted and approved by DNR; 2) the property is cleaned up, except with respect to the substance for which DNR approves natural attenuation; 3) DNR certifies that the cleanup restored the environment and minimized the harmful effects of the discharge, except with respect to the substance for which DNR approves natural attenuation; 4) the voluntary party maintains and monitors the property as required by DNR; and 5) if required by DNR, the voluntary party obtains insurance to cover the cost of a cleanup in case natural attenuation fails.

Under this bill, a voluntary party is exempt from the requirements to clean up any hazardous substance discharge on a property that is discovered after two environmental investigations have been conducted and approved by DNR with respect to the property if the voluntary party has obtained insurance to cover the clean–up costs.

Petroleum storage remedial action

Under current law, the department of commerce administers a program to reimburse owners of certain petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. This program is commonly known as PECFA.

This bill authorizes the department of commerce to issue revenue obligations, to be paid from revenues deposited in the petroleum inspection fund, to fund the payment of claims under the PECFA program. Revenue obligations issued under this bill may not exceed $450,000,000 in principal amount. *See* **STATE GOVERNMENT, STATE FINANCE.**

Under current law, the department of revenue (DOR) collects a petroleum inspection fee of three cents per gallon on petroleum products that are received for sale in this state. The fee is deposited in the petroleum inspection fund and is used to fund PECFA as well as various other programs.

This bill requires the department of commerce to change the amount of the petroleum inspection fee under specified conditions. If the amount of unpaid PECFA claims, as of June 30 of an odd–numbered year, exceeds $10,000,000, the department must increase the fee, effective the following April 1, as necessary to increase annual revenues by the amount by which unpaid claims exceed $10,000,000. If the balance in the petroleum inspection fund on June 30 of an odd–numbered year exceeds $10,000,000 and no PECFA revenue bonds are outstanding, the department must reduce the fee, effective the following April 1, as necessary to reduce annual revenues by $5,000,000 or the amount by which the balance in the fund exceeds $10,000,000, whichever is greater.

Currently, PECFA reimburses applicants for interest costs incurred in financing a cleanup, but that reimbursement is limited to interest at 1% over the prime rate. Under this bill, PECFA does not reimburse interest costs incurred by an applicant in financing a cleanup if the applicant has annual gross revenues in excess of $20,000,000. For other applicants, the PECFA interest reimbursement is limited to interest at 5%. The limits on interest reimbursements apply to interest incurred after October 31, 1999, on claims filed after October 31, 1999.

Under current law, DNR generally may order a responsible person to conduct a cleanup of a hazardous substance that has been discharged into the environment and may oversee the cleanup. However, under current law, the department of commerce may order and oversee cleanups of certain discharges from petroleum product storage tanks. The department of commerce has authority over cleanups if the site of the discharge is classified as low or medium priority based on the threat that the discharge poses to public health, safety and welfare and to the environment and if the site is not contaminated by nonpetroleum hazardous substances. Current law requires DNR and the department of commerce to enter into a memorandum of understanding that establishes procedures and standards for determining whether a site is high, medium or low priority. Under this state's groundwater law, DNR and the department of health and family services set enforcement standards. An enforcement standard represents a concentration of a substance in groundwater.

This bill requires the department of commerce to establish the standards for categorizing sites of petroleum product discharges by rule, rather than by memorandum of understanding. The bill requires the department of commerce and DNR to attempt to agree on the standards. The bill prohibits the departments from providing, in those standards, that all sites at which a groundwater enforcement standard has been exceeded are high priority. The bill also requires the departments to design the standards to classify no more than 50% of sites as high priority. If the departments cannot agree on the standards, the secretary of administration must resolve the disagreement.

Under PECFA, the owner of a petroleum product storage tank may receive an award for the amount by which the cost of the cleanup exceeds a deductible amount, up to a specified maximum. The current maximum for underground tanks varies from $100,000 for small farm tanks to $1,000,000 for tanks located at a facility at which petroleum is stored for resale and tanks that handle an average of more than 10,000 gallons of petroleum per month.

This bill changes the maximum PECFA award for any underground petroleum product storage tank to $100,000 if the site of the discharge from the tank is classified as medium priority or low priority under the classification system promulgated by rule by the department of commerce. The change in the maximum PECFA award applies to PECFA claims for which remedial action plans are approved after November 30, 1999.

Currently, the PECFA deductible for underground tanks is generally $2,500 plus 5% of eligible costs, but not more than $7,500, except that the deductible for heating oil tanks owned by school districts and technical college districts is 25% of eligible costs.

This bill changes the PECFA deductible amount for certain underground petroleum product storage tanks. Under this bill, the deductible for an underground petroleum product storage tank that is located at a facility at which petroleum is stored for resale or an underground petroleum product storage tank that handles an annual average of more than 10,000 gallons of petroleum per month is $10,000, plus $2,500 if the eligible costs exceed $50,000, plus $2,500 more if eligible costs exceed $80,000, plus $10,000 more for each whole $100,000 by which eligible costs exceed $150,000, except that the department of commerce may, by rule, exempt a class of owners and operators from this higher deductible.

The bill also changes the PECFA deductible amount for aboveground storage tanks located at terminals from $15,000 plus 5% of the amount by which eligible costs exceed $200,000 to $15,000 plus 15% of the amount by which eligible costs exceed $200,000. A terminal is a facility that is connected to a petroleum pipeline.

This bill authorizes the department of commerce to promulgate rules for assigning award priorities to cleanups under PECFA, except for cleanups of discharges from home heating oil tanks, small farm tanks and heating oil tanks owned by school districts. If the department promulgates the rules, it must pay PECFA awards, for cleanups that begin after the rules take effect, in order of the award priorities under the rules. The bill requires the department to inform the owner or operator of a petroleum product storage tank of the date on which it is appropriate to begin a cleanup, based on when the department estimates funding will be available for an award for the cleanup. The bill authorizes an owner or operator to delay beginning a cleanup until the date that the department determines it is appropriate to begin the cleanup. The bill also authorizes the department to deny PECFA reimbursement for interest costs if an owner or operator begins a cleanup before the appropriate beginning date as determined by the department.

This bill authorizes the department of commerce to require a person to pay a fee as a condition of submitting a bid to provide a service for a cleanup under PECFA. If the department of commerce imposes a fee, the department may purchase, or provide funding for the purchase of, insurance to cover the amount by which the costs of conducting a cleanup exceed the amount bid to conduct the cleanup.

This bill requires the department of commerce and DNR to report information every six months about petroleum product cleanups that are in progress.

Dry cleaner environmental response program

Under current law, DNR administers the dry cleaner environmental response program, under which owners and operators of dry cleaning facilities are reimbursed a portion of the costs incurred in cleaning up a discharge of dry cleaning solvent. This program is funded, in part, by dry cleaning license, solvent and inventory fees that are paid by owners and operators of dry cleaning facilities. As a condition of receiving reimbursement, owners and operators of closed dry cleaning facilities must pay annually for 30 years the average yearly dry cleaning license fee and an amount equal to the total amount collected as annual dry cleaning solvent fees divided by the number of operating dry cleaning facilities for that year. These required fees are in addition to the deductible owners and operators must pay before receiving a reimbursement.

This bill eliminates the requirement that operators of closed dry cleaning facilities pay annual fees for 30 years. Instead, the bill requires owners of dry cleaning facilities to pay as part of the deductible an amount equal to 30 times the average license fee for the year in which the reimbursement is made and an amount equal to 30 times the total collected as solvent fees divided by the number of operating dry cleaning facilities for the year. This bill also increases the deductible for closed facilities when eligible costs exceed $200,000.

Currently, financing costs are reimbursable costs under the dry cleaner environmental response program. This bill excludes financing costs from reimbursable costs under the program.

Under current law, the first priority for reimbursement under the dry cleaner environmental response program is reimbursement for immediate action activities (activities taken within a short time after a discharge occurs or after a discharge is discovered). After reimbursements for immediate action activities, DNR is required to give highest priority to paying reimbursements for eligible costs incurred before October 14, 1997.

This bill requires DNR each year, after paying reimbursements for immediate action activities, to make a specified portion of the funds available to pay reimbursements for eligible costs incurred before October 14, 1997, and to use the rest of the funds to pay reimbursements for costs incurred on or after October 14, 1997.

This bill requires applicants under the dry cleaner environmental response program to notify DNR of insurance claims made for the costs of cleanup of a dry cleaner solvent spill and to disclose the amount of insurance proceeds received. The bill also requires applicants to notify DNR if they intend to file suit against an insurance company to recover clean–up costs and allows DNR to join a private suit filed by an applicant against an insurance company for the purpose of recovering clean–up costs.

Under the dry cleaner environmental response program, the owners of certain dry cleaning facilities are eligible for reimbursement for the costs of preliminary site screening and interim remedial equipment to begin the cleanup of dry cleaning discharges before the completion of full site investigations and cleanup plans. The reimbursement for preliminary site screening and interim equipment may not exceed $15,000, of which not more than $2,500 may be for the preliminary site screening.

Under this bill, the reimbursement for preliminary site screening and interim remedial equipment is 50% of the eligible costs, but not more than $20,000, of which not more than $3,000 may be for the cost of the preliminary site screening.

The dry cleaner environmental response program is currently funded from the dry cleaner environmental response fund, a segregated fund. Under current law, DNR is authorized under certain circumstances to fund cleanups of hazardous substance discharges from the environmental fund, another segregated fund.

Under this bill, if DNR funds a cleanup of a discharge of dry cleaning solvent from the environmental fund, DNR must transfer from the dry cleaner environmental response fund to the environmental fund an amount equal to the amount expended from the environmental fund for the cleanup. DNR must make the transfer when it determines that sufficient funds are available.

Other hazardous substances and environmental cleanup

This bill authorizes a local governmental unit to recover costs it incurs in cleaning up a property on which a hazardous substance has been discharged if the local governmental unit acquired the property in one of several specified ways, including through tax delinquency proceedings or condemnation. The local governmental unit may recover the costs from a person who possessed or controlled the hazardous substance at the time that the local governmental unit acquired the property or who caused the discharge of the hazardous substance, unless the person is exempt from the requirement to clean up the property under the hazardous substances spills law.

This bill creates a brownfields site assessment grant program to be administered by DNR. Under the program, cities, villages, towns, counties, redevelopment authorities, community development authorities and housing authorities may apply for a grant to conduct preliminary clean–up activities at brownfield sites. The grants specifically cover the costs of investigating

environmental contamination, demolishing structures and removing abandoned containers and asbestos. Applicants who receive a grant under the program must contribute matching funds equal to 20% of the grant and are required to pay back the grant if they receive a loan under the land recycling loan program to conduct the same clean–up activities.

Currently, under the land recycling loan program, this state provides loans to cities, villages, towns and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are provided at subsidized interest rates.

This bill provides that recipients of loans under the land recycling loan program are not required to pay any interest. The bill also makes redevelopment authorities and housing authorities eligible for loans under the program.

The budget act for each fiscal biennium establishes the present value of the subsidies that may be provided under the land recycling loan program during that fiscal biennium. This bill sets the present value of the land recycling loan program subsidies that may be provided during the 1999–2001 fiscal biennium at $9,400,000.

Under current law, the department of commerce regulates tanks that store flammable and combustible liquids. This bill requires the department of commerce also to regulate tanks that store liquids that are considered hazardous substances under the federal Superfund Act. Under current law, the department of commerce collects a $100 groundwater fee for plan review and approval for tanks that store flammable and combustible liquids and that have a capacity of 1,000 gallons or more. Under this bill, the groundwater fee also applies to plan review of tanks that store liquids that are considered hazardous substances under the federal Superfund Act and that have a capacity of 1,000 gallons or more.

WATER QUALITY

Under the clean water fund program, this state currently provides financial assistance for projects for controlling water pollution, including sewage treatment plants. One form of financial assistance provided is a loan at a subsidized interest rate. The budget act for each fiscal biennium establishes the present value of the subsidies that may be provided under the clean water fund program during that fiscal biennium. This bill sets the present value of the clean water fund program subsidies that may be provided during the 1999–2001 fiscal biennium at $87,400,000.

Currently, under the safe drinking water loan program, this state provides loans to local governmental units for projects for the construction or modification of public water systems. The loans are provided at subsidized interest rates. The budget act for each fiscal biennium establishes the present value of the subsidies that may be provided under the safe drinking water loan program during that fiscal

biennium. This bill sets the present value of the safe drinking water loan program subsidies that may be provided during the 1999–2001 fiscal biennium at $5,200,000.

Under current law, the state is authorized to contract public debt in an amount not to exceed $12,130,000 to fund the safe drinking water loan program. This bill increases that amount to an amount not to exceed $16,000,000.

One form of assistance that the clean water fund program, the safe drinking water program and the land recycling loan program provide is a loan at a subsidized interest rate. Another form of assistance is a payment to the board of commissioners of public lands to reduce interest payments on a loan from the board for a project that is eligible for assistance under one of the programs.

This bill provides that a payment to the board of commissioners of public lands under the clean water fund program, the safe drinking water loan program or the land recycling loan program may not exceed the amount of subsidy necessary to provide the loan directly under the clean water fund program, the safe drinking water loan program or the land recycling loan program.

Under current law, DNR, in conjunction with the department of agriculture, trade and consumer protection (DATCP), the land and water conservation board (LWCB) and local governmental units, administers a program to provide financial assistance for measures to reduce water pollution from nonpoint (diffuse) sources. Current law authorizes the issuance of general obligation bonds as one source of funding for the financial assistance under the nonpoint source program. This bill increases the bonding authority for the nonpoint source program from $34,363,600 to $48,763,600.

Current law authorizes DNR to provide cost–sharing grants for projects to assist agricultural facilities to comply with nonpoint source water pollution control requirements established by DNR and DATCP. These cost–sharing grants are currently funded with proceeds of general obligation bonds. This bill increases the bonding authority for the cost–sharing grants from $2,000,000 to $4,000,000.

Under current law, the nonpoint source program is funded with general purpose state revenues, segregated revenues from the environmental fund and proceeds of state bonds. This bill provides additional funds for financial assistance under the nonpoint source program from moneys paid to this state under Indian gaming compacts. The bill also provides funds to be paid to the Oneida Nation under the nonpoint source program from moneys paid to this state under Indian gaming compacts.

Under current law, persons who discharge wastewater into the waters of this state are required to pay an annual wastewater discharge fee to DNR. DNR is required to structure the fee so that municipalities that are subject to the fee pay 50% of the total charged and other persons that are subject to the fee pay the other 50%.

Currently, DNR may not charge total fees that exceed $7,450,000. This bill changes the cap on the wastewater discharge fee to $7,925,000.

Under current law, DNR and the department of health and family services establish standards for the concentration of contaminants in groundwater. When the groundwater standards are exceeded, action must be taken under this state's groundwater law. This bill authorizes DNR to charge a fee for placing information concerning a property on which a groundwater standard is exceeded into a database.

AIR QUALITY

Under current law, the owner or operator of a stationary source of air pollution who must obtain an air pollution control permit from DNR is required to pay an annual fee to DNR. The fee is a specified amount per ton of certain air pollutants emitted by the stationary source in the preceding year, except that an owner or operator is generally not required to pay the fee for emissions of any pollutant in excess of 4,000 tons per year.

This bill establishes a new facility fee for stationary sources that emit a total of at least five tons of the pollutants on which the current fee is based. The fee ranges from $50 to $20,000, depending on the total amount of those pollutants emitted.

Under current law, generally a person may not begin construction of a stationary source of air pollution without a construction permit issued by DNR. This bill authorizes DNR to issue general construction permits, each of which may cover numerous similar stationary sources of air pollution.

Current law authorizes DNR to establish, by rule, fees for inspecting nonresidential asbestos demolition and renovation projects regulated by DNR. The fees may not exceed $200 per project. This bill raises the limit on fees for inspecting nonresidential asbestos demolition and renovation projects to $210.

Under current law, the department of justice (DOJ) generally is responsible for taking actions in court to enforce environmental laws. This bill authorizes DNR to issue a citation (similar to a traffic ticket) if it determines that a person has violated certain of DNR's rules related to asbestos abatement and management. The bill requires DNR to promulgate rules, which must be approved by DOJ, specifying the violations for which citations may be issued. Under the bill, the same procedures are used for the issuance of a citation and the collection of a forfeiture as are used for hunting and fishing violations.

RECYCLING

Under current law, DNR administers a financial assistance program to assist with costs related to operating recycling programs and for complying with the prohibition on disposing of yard waste in landfills. The amount of a grant under the program is generally the lesser of 66% of eligible net costs or $8 per person served,

except that, if the lesser of those two amounts is less than 33% of the eligible expenses, the amount of the grant is 33% of the eligible expenses.

This bill reduces the maximum amount of a grant that may be awarded under this financial assistance program. Under the bill, the amount of a grant is the greater of 66% of eligible net costs or 33% of the eligible expenses, except that the grant may not exceed $8 per person. This change effectively sets a maximum grant amount of $8 per person and makes grants based on 33% of the eligible expenses subject to proration of grants if the sum of grants payable under the program exceeds available funds. The financial assistance program currently expires after 2000. This bill extends the program through 2001.

Current law prohibits the disposal of listed recyclable materials in a landfill. The prohibition does not apply to any city, village, town, county or other governmental unit that is responsible for the region's solid waste management (responsible unit) and that operates an effective recycling program. A recycling program is an effective recycling program if it meets specified criteria. In addition to the exception from the disposal prohibition, a responsible unit that administers an effective recycling program is eligible for a state grant to reimburse the responsible unit for some of its costs incurred in operating the effective recycling program.

Under current law, beginning in 2000, a responsible unit's recycling program is an effective recycling program only if the responsible unit has in place a system of volume–based solid waste fees to generate revenue equal to the responsible unit's costs for solid waste management other than those reimbursed by the state. This criterion does not apply to any responsible unit that separates for recycling at least 25% by volume or by weight of the solid waste collected within the region by the responsible unit or by any person under contract with the responsible unit, or to any responsible unit that provides solid waste to an operating solid waste treatment facility under a contract that was in effect on January 1, 1993.

This bill eliminates the requirement that, to have its recycling program considered an effective recycling program, a responsible unit have in place a system of volume–based solid waste fees to generate revenue equal to the responsible unit's costs for solid waste management other than those reimbursed by the state.

The recycling market development board (board), which is attached to the department of commerce and which will be eliminated on June 30, 2001, has various powers and duties related to recycling, including awarding financial and other assistance to improve the marketing of, and to develop markets for, certain materials recovered from solid waste. The board may contract with other persons to accomplish any of its powers and duties. Funding for the board's contracts comes from the recycling fund. Funding for the financial assistance that the board awards comes from the recycling fund and from repayments of loans made by recipients of financial assistance awarded by the board. This bill eliminates the recycling fund as a funding source for the board's contracts and financial assistance and provides that the

funding for both comes solely from repayments of loans made by recipients of financial assistance awarded by the board.

The department of commerce made loans before July 1, 1995, for various purposes related to recycling. Repayments of those loans are deposited in the recycling fund. This bill provides that repayments of those loans are to be used to fund the board's contracts and financial assistance that the board awards.

This bill requires DNR to award grants of $75,000 on September 1, 1999, and $50,000 on July 1, 2000, to the Wheelchair Recycling Project 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.

OTHER ENVIRONMENT

In 1998, DNR and Winnebago County entered into an agreement under which the county agreed to accept sediments that are dredged from the Fox River and that are contaminated with polychlorinated biphenyls (PCBs) for disposal in the county's landfill.

This bill authorizes DNR to enter into an agreement with Winnebago County under which this state indemnifies the county against any liability or damage resulting from the county's acceptance of PCB–contaminated sediments if the sediments are disposed of in a manner approved by DNR. The bill also authorizes DNR to enter into an agreement with the city of Oshkosh under which this state indemnifies the city against any liability or damage resulting from the city accepting PCB–contaminated leachate from the landfill that contains the PCB–contaminated sediments.

Current law provides a process for negotiation and arbitration between a person who wishes to construct or expand a landfill or a hazardous waste facility and a committee representing those affected municipalities and counties that choose to participate in the process. An affected municipality or county is one in which a facility is proposed to be located or one whose boundary is within 1,500 feet of the area in which waste would be treated, stored or disposed of. Other municipalities may participate in the negotiation and arbitration process with the agreement of all parties to the process. Under current law, a town, city or village in which all or part of the facility is proposed to be located may appoint four members to a committee or the number of members appointed by the county and other affected municipalities plus two, whichever is greater.

Under this bill, a town, city or village in which all or part of a landfill or a hazardous waste facility is proposed to be located may appoint four members to a committee or the number of members appointed by the county, other affected municipalities and any municipalities added by agreement of the parties plus two, whichever is greater.

Under current law, DNR may require tests related to programs administered by DNR to be conducted by laboratories certified or registered by DNR or DATCP or

certified or registered by another state or a federal agency that recognizes laboratory certification by DNR and that uses standards equivalent to this state's standards.

This bill authorizes DNR to apply to the federal environmental protection agency to be approved to accredit laboratories under a national environmental laboratory accreditation program. If DNR is approved to accredit laboratories under the national program, an accredited laboratory may conduct tests that currently must be conducted by a certified or registered laboratory, this state must accept test results from laboratories accredited by other accrediting authorities and other accrediting authorities must accept test results from laboratories accredited by DNR.

Under current law, DNR, the department of commerce and the board of regents of the University of Wisconsin (UW) System are required to promote hazardous pollution prevention, which means changes in processes or raw materials that reduce or eliminate the use or production of hazardous substances, toxic pollutants and hazardous waste. This bill requires DNR, the department of commerce and the board of regents of the UW System to promote pollution prevention, which means an action that prevents waste from being created, reduces the amount of waste that is created or changes the nature of waste being created in a way that reduces the hazards to public health or the environment posed by the waste.

GAMBLING

Under current law, the compensation paid to a retailer who sells lottery tickets is 5.5% of the retail price of the lottery tickets. In addition, under current law, the compensation paid to a retailer who sells scratch–off or instant games is 6.25% of the retail price of scratch–off or instant games. This bill authorizes the department of revenue to establish, by rule, a program to provide for additional compensation to be paid to retailers who meet certain performance goals. Under this program, the total compensation provided to retailers who meet the performance goals may not exceed 1.0% of gross lottery revenues.

Under current law, the department of health and family services may award grants to individuals or organizations in the private sector to conduct compulsive gambling awareness campaigns. These grants are funded from the lottery fund, from revenues generated by pari–mutuel wagering and from moneys paid to the state under Indian gaming compacts. This bill provides that the grants must be funded entirely from moneys paid to the state under Indian gaming compacts.

HEALTH AND HUMAN SERVICES

LONG–TERM CARE; FAMILY CARE

Current law

Currently, home and community–based long–term care is provided to persons who are elderly, physically or developmentally disabled, chronically mentally ill or chemically dependent as a benefit under one or more programs administered by the

department of health and family services (DHFS). These programs are funded by federal, state or, in some instances, county moneys, and each program has individualized eligibility criteria and benefit restrictions. For elderly and disabled persons, these programs include medical assistance (MA), the long–term support community options program (COP), three community integration programs (CIPs) and community aids. MA is a comprehensive jointly funded federal–state health program for persons with low income and few assets. COP provides assessments of functionality and home and community–based care to, among others, elderly and disabled persons as an alternative to institutionalized care; one part of COP is funded by state moneys and the other part is funded under a joint federal–state program under a waiver of federal medicaid laws. Under other joint federal–state programs under waivers of federal medicaid laws, CIPs provide home and community–based services and continuity of care for persons relocated from institutions, including state centers for the developmentally disabled, and persons who meet requirements for MA reimbursement in nursing homes.

Currently, under a pilot project, DHFS contracts with a public or private entity to serve as a clearinghouse of information for individuals who are interested in home or community–based long–term support services or institutional long–term care services and to perform assessments to determine an individual's functional abilities, disabilities, personal preferences and need for home or community–based services or institutional services. Under a second pilot project, DHFS may contract with counties or federally recognized American Indian tribes or bands to demonstrate the ability of counties or tribes or bands to manage all long–term care programs under a long–term care management organization.

Currently, nursing homes are prohibited from admitting patients until a physician has completed a plan of care and the patient has been assessed under COP or the long–term care pilot project or has waived the assessment.

Creation of family care benefit, resource centers and care management organizations

This bill establishes a program of financial assistance for long–term care and support items, called a family care benefit, for persons who are eligible and are enrolled in a care management organization, an entity whose attributes are established in this bill. The family care benefit is funded by general purpose revenue appropriated for MA, COP and community aids. DHFS must request from the federal secretary 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 MA; however, regardless of whether a waiver is approved, DHFS may implement the family care benefit. Persons are eligible for, but not necessarily entitled to, the family care benefit if they are at least 18 years of age, do not have a primary disabling condition of mental illness, substance abuse or developmental disability and meet certain functional and financial eligibility criteria. A person is entitled to the family care benefit and may enroll in a care management organization if he or she is financially eligible, meets cost–sharing requirements and meets any of several functional eligibility requirements or if he or she has a primary disabling condition of developmental disability and was a resident of a county or member of a

tribe or band that operated a care management organization under a pilot project. Divestment prohibitions, prohibitions on treatment of certain trusts, provisions on protection of income and resources of a couple for maintenance of a spouse in the community, and estate recovery provisions, all of which correspond to similar prohibitions and provisions under MA, apply to enrollees. A client may contest denial of eligibility, the determination of cost sharing, denial of entitlement, failure to provide timely services and support items in the plan of care, reduction of services or support items, development of an unacceptable plan of care and termination of the family care benefit, by filing a written request for a hearing within 45 days after receipt of notice of the contested matter.

The bill establishes requirements for a resource center, which, among other things, must provide information and referral services, determine functional and financial eligibility for the family care benefit, assist persons to enroll in a care management organization and determine eligibility for certain other benefits, including MA. Within six months after the family care benefit is available to all eligible persons in the area of the resource center, the resource center must provide information about its services to all older persons and persons with physical disabilities who reside in nursing homes, community–based residential facilities, adult family homes and residential care apartment complexes in the area of the resource center. A resource center must have a governing board that reflects the ethnic and economic diversity of the geographic area served by the resource center, and at least one–fourth of the governing board's members must be older persons or persons with physical or developmental disabilities or family members, guardians or other advocates of such persons.

The bill establishes requirements for a care management organization, which must accept the enrollment of persons who are entitled to the family care benefit, as well as the enrollment of persons who are eligible for the family care benefit and for whom funding is available. Under a contract with DHFS, the care management organization must, among other things, conduct a comprehensive assessment for each enrollee, develop a comprehensive care plan for the enrollee and provide or contract for the provision of necessary services. DHFS may, by contract, require solvency protections for a care management organization. A care management organization must have a governing board that is subject to requirements that are similar to those for the governing board of a resource center. The bill specifically exempts a care management organization from requirements for licensure as a home health agency.

Under the bill, DHFS must prescribe and implement a per person monthly rate structure for costs of the family care benefit. DHFS also must prescribe and enforce performance standards for the operation of resource centers and care management organizations, conduct ongoing evaluations of the system implementing the family care benefit and ensure that independent organizations conduct reviews of the quality of management and service delivery of resource centers and care management organizations.

Family care district

This bill authorizes county boards of supervisors to create, on a single county or multicounty basis, family care districts. Under the bill, a family care district is a separate local unit of government, the primary purpose of which is to operate a resource center or a care management organization, but not both. The jurisdiction of the family care district is the county or counties of the county board or boards of supervisors who created the district. The family care district's board is appointed by the county board or boards of supervisors and must consist of 15 persons for a single county and, for a multicounty family care district, an additional member for each county in excess of two. Board members must be residents of the family care district's jurisdiction and must satisfy certain additional requirements.

The bill grants to a family care district various local government powers, including the power to adopt and alter an official seal; adopt bylaws and policies and procedures to regulate its affairs; sue and be sued; negotiate and enter into leases and contracts; employ agents, employes or special advisers; and buy, sell or lease property. However, a family care district may not issue bonds or levy a tax or assessment. Under the bill, a family care district must appoint a director, who must manage the family care district's property, business and employes. The family care district must also develop and implement a personnel structure and other employment policies. With respect to the hiring of employes who formerly were county employes to perform the same or substantially similar functions that they previously performed, the family care district must perform certain tasks to ensure that the employes' compensation, benefits, seniority and status in class under county employment are not diminished. If the county has established its own retirement system the county must include family care district employes in participation and applicable benefits.

Numerous laws that apply to special purpose districts and local units of government apply to the family care district, including, among others:

1. The members of the family care district governing board and the director of the family care district are subject to the code of ethics for local government officials.
2. The family care district is exempt from the sales and use taxes.
3. The family care district is subject to public employe occupational safety and health laws.
4. The family care district is governed by unemployment compensation laws.
5. The family care district may participate in the local governmental property insurance fund.
6. The family care district is governed by municipal administrative procedures concerning constitutionally protected rights.
7. Persons attempting to sue the family care district are subject to limitations on actions that may be brought against it and limitations as to the filing of the notice of the injury and recoverable damages.

The bill also provides that a family care district:

1. Must adhere to the open records laws, except in certain circumstances.
2. Must adhere to the open meetings laws.

3. Is subject to auditing by the legislative audit bureau and review of its performance by the joint legislative audit committee.

4. Is an employer for all purposes of the municipal employment relations laws; as such, employes of the district may organize and seek to establish all terms of wages, hours and conditions of employment through collective bargaining.

5. Is subject to prohibitions on public funding for abortions and for abortion–related activities.

6. May participate in the local government pooled–investment fund.

7. Is exempt from local property tax and income tax.

8. Is subject to laws regulating buildings and safety.

9. Is governed by state minimum wage and hour and family and medical leave laws and is subject to worker's compensation laws.

10. May participate in programs of state retirement, health and long–term care benefits, disability benefits and survivor benefits, deferred compensation plans, employe–funded reimbursement accounts and health insurance premium credits and be included as a coverage group under social security.

11. Is an employer for the purposes of coverage for group and individual health benefits and for small employer health insurance.

12. Is a municipality for the purposes of laws relating to the publication of legal notices.

Under the bill, obligations and debts of a family care district are not the obligations or debts of the county that created the family care district. A family care district may be dissolved by joint action of the family care district board and the county board or boards of supervisors that created the district, subject to performance of its contractual obligations and approval by the secretary of health and family services. If the family care district was created by more than one county, the county boards of supervisors that created the district must agree on the apportioning of the district's property before dissolution may occur.

Expansion of pilot projects

This bill authorizes DHFS to continue contracting with counties or American Indian tribes or bands under the current pilot projects until July 1, 2001. After that date, DHFS may contract with one or more entities certified as meeting requirements for a resource center and for services of an entity as a care management organization. During the first 24 months in which a county has a contract with DHFS under which the county accepts a per person per month payment for each enrollee in the county's care management organization, the authority of DHFS to contract with another organization to operate a care maintenance organization in that county is restricted.

Under the bill, a county, an American Indian tribe or band, a family care district or an organization may not directly operate both a resource center and a care management organization. If a county board of supervisors and the county executive or county administrator apply to DHFS for a contract to operate a resource center, the county board may create a family care district to apply to DHFS for a contract to operate a care management organization; if the county board and the county executive or administrator apply for a contract to operate a care management

organization, the county board may create a family care district to apply to DHFS for a contract to operate a resource center. If the governing body of an American Indian tribe or band elects to apply for a contract to operate a resource center, the tribe or band members may form a separate corporation to apply for a contract to operate a care management organization; if the governing body elects to apply for a contract to operate a care management organization, the tribe or band members may form a separate corporation to apply for a contract to operate a resource center. A county or family care district may apply jointly with a tribe or band or tribal or band corporation for a contract to operate a care management organization or resource center.

The bill authorizes a county department of social services, human services, developmental disabilities services or community programs or an aging unit authorized by the applicable county board of supervisors to apply to DHFS to operate a resource center or a care management organization. The bill also authorizes the secretary of health and family services, in order to facilitate the transition to the family care benefit system, to grant a county limited waivers to certain COP and CIP statutes and rules promulgated under those statutes.

Requirements of care facilities

This bill requires the secretary of health and family services to certify to each county, 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, home, facility or complex is first available to provide a functional and financial screen to specific groups of eligible individuals or for specified facilities. Each affected nursing home, community–based residential facility, adult family home and residential care apartment complex must inform prospective residents of the facility about the services of the resource center, the family care benefit and the availability of a functional and financial screen to determine eligibility. Also, these facilities and hospitals must refer to the resource center any person who seeks admission and who is aged at least 65 years or has a physical disability, unless the person has received a screen for functional eligibility within the previous six months, is entering the facility only for respite care or is an enrollee of a care management organization. Failure to comply with these requirements subjects the facility to an administrative forfeiture. Current prohibitions on the admittance to nursing homes of persons without a COP or other assessment do not apply to persons for whom the secretary of health and family services has certified that a resource center is available.

Council on long–term care and board on aging and long–term care

This bill creates in DHFS a 15–member council on long–term care that terminates on July 1, 2001. The council must assist DHFS in developing policy related to long–term care issues. The council also must review and make recommendations to DHFS concerning the DHFS standard contract provisions for resource centers and care management organizations, the family care benefit and other matters, and must monitor patterns of complaints, persons on waiting lists and patterns of enrollments and disenrollments.

The bill makes several changes to the membership of the board on aging and long–term care and requires the board to contract with organizations to provide advocacy services, including negotiation, mediation and assistance in administrative hearings or judicial proceedings, to potential or actual recipients of the family care benefit or their families or guardians.

OTHER LONG–TERM CARE

Under current law, a county may not use COP or CIP funds to provide services to an individual who resides in a community–based residential facility unless the individual receives, before admission, an assessment of his or her functional abilities, disabilities and need for medical and social long–term community support services.

Current law also requires a community–based residential facility, prior to admitting a person, to prepare a statement of financial condition for a person who intends to pay for residence in the facility from private funds. The statement of financial condition must estimate a date, if any, by which the person's assets and other private funding would be depleted if he or she were to reside continuously in the community–based residential facility. If that date is less than 24 months after the date of the statement of financial condition, the community–based residential facility must provide the statement to the county department of social services.

This bill allows a county, in accordance with guidelines established by DHFS, to waive the requirement to conduct a functional assessment prior to a person's admission to a community–based residential facility. However, if a person applies for admission to a community–based residential facility on or after the date that this bill becomes law and his or her statement of financial condition indicates that, if the individual were to reside in the community–based residential facility, his or her assets and other private funds would be depleted within 12 months, the community–based residential facility must refer him or her to the county department of social services to determine whether an assessment should be conducted.

Currently, revenues received by DHFS from skilled nursing facility violation forfeiture assessment surcharges and interest pay for certain costs that are associated with the violations, such as resident relocation to another facility and reimbursement for misappropriated property. This bill permits DHFS to use a portion of the penalty assessment surcharge and interest revenues for innovative projects that aim to protect health and property of residents of skilled nursing facilities.

PUBLIC ASSISTANCE

Under current law, a county department of human services or social services (county department) or, in Milwaukee County, DHFS must make payments of $215 per month to a relative of a child who is providing care and maintenance for the child if certain conditions are met (kinship care and long–term kinship care). Under this bill, a county department or DHFS may, but is not required to, make those payments

if certain conditions are met. The bill also provides that, notwithstanding fulfillment of the conditions of eligibility for the receipt of those payments, a relative who is providing kinship care or long–term kinship care for a child is not entitled to receive those payments.

Under current law, a parent who receives federal supplemental security income (SSI), or a state supplemental payment, receives a monthly supplemental payment of $100 for each dependent child with whom the parent lives, if certain conditions are met. This bill increases that monthly supplemental payment to $150 per dependent child.

Current federal law permits states to establish a demonstration project under which certain low–income individuals may establish savings accounts, referred to as individual development accounts. The funds deposited into an individual development account may be used for certain expenses associated with postsecondary education, first home purchases, business capital expenses or medical expenses, to meet necessary living expenses following loss of employment or to make payments necessary to prevent the eviction of the individual from his or her residence or the foreclosure on the mortgage for the principal residence of the individual. An individual may only deposit earned income into the account. For every dollar that the individual deposits into the account, the administering state or local agency or American Indian tribal governing body, or a qualified nonprofit agency, must deposit at least 50 cents and not more than four dollars into that account. The federal government makes a grant to the matching contributor that equals the lesser of the aggregate amount of funds committed as matching contributions from nonfederal funds or $1,000,000.

This bill allows the department of workforce development (DWD) to establish an individual development account demonstration project in this state in accordance with the federal law.

Under current law, DWD is required to recover benefit overpayments made under the aid to families with dependent children (AFDC) program and under the Wisconsin works (W–2) program (this state's welfare reform initiative which emphasizes work for benefits).

This bill permits DWD to recover overpaid AFDC or W–2 benefit amounts from former benefit recipients by issuing a warrant directed to the clerk of circuit court. The warrant is considered a perfected lien upon the person's right, title and interest in all real and personal property. DWD may then file an execution commanding the sheriff of any county in which property of the person is found to collect and sell sufficient property to pay the amount stated in the warrant.

The bill also allows DWD to collect the overpaid AFDC or W–2 benefits by levy upon any property of the person to whom the benefits were paid. Under the bill, such a person who refuses to surrender the property is subject to enforcement proceedings. A third party who fails to surrender property that is subject to a levy is liable for up to 25% of the amount the debt. The bill sets forth the process for

serving the levy and releasing the levy. The bill also exempts certain wages, the first $1,000 in a bank account and certain other property from a levy.

Under current law, DWD must allocate certain moneys for various public assistance programs. This bill eliminates the requirement that moneys be allocated for some of the programs and adds the following new programs to the list of those for which moneys must be allocated:

1. A program to fund efforts to provide an emotionally and intellectually stimulating environment for certain low–income children under the age of five.

2. A literacy program targeted at certain low–income individuals.

3. A competitive grant program to fund programs that improve social, academic and employment skills of certain low–income youth.

4. A program to assist low–income workers to maintain their jobs and to improve their basic skills.

5. A program to match retirees with youth to provide the youth with workforce mentoring.

6. A program to encourage the positive involvement of fathers in their children's lives.

7. A grant program under which DWD may award up to $1,000,000 to counties and private entities to provide community–based alcohol and other drug abuse treatment that is targeted to certain low–income individuals.

The bill also permits DWD to transfer funds received under the federal temporary assistance for needy families block grant program to other agencies for various programs.

Under current law, a county department of social or human services must certify eligibility for and issue food coupons to needy households, except that a Wisconsin works (W–2) agency is required, to the extent permitted under federal law or waiver, to certify eligibility for and issue food coupons to eligible participants in the W–2 program.

This bill requires a W–2 agency, to the extent permitted under federal law or waiver, also to certify eligibility for and issue food coupons to: 1) persons who may be required to participate in the food stamp employment and training program; and 2) other persons who are under the age of 61 and who are not disabled.

Under current law, certain federal economic support programs require that a state maintain or increase its average annual expenditures for those programs. This is commonly referred to as a maintenance–of–effort requirement.

This bill allows DWD to expend moneys from its economic support programs appropriation for services to identify funds that may be used for the maintenance–of–effort requirement.

Currently, under the learnfare program, a child between the ages of 6 and 17 who is the dependent child of a recipient of benefits under the W–2 program must meet a school attendance requirement to avoid the imposition of certain sanctions.

Currently, DWD may expend moneys for a study of the school attendance requirement under the learnfare program for children who are 6 to 12 years of age. This bill eliminates that expenditure authority.

Under current law, if a recipient of certain public assistance benefits dies and the estate of the deceased recipient is insufficient to pay for the funeral, burial and cemetery expenses, the county or applicable American Indian tribal governing body or the organization responsible for burial of the recipient must pay the cemetery expenses that are not paid by the deceased recipient's estate (but not more than $1,000) and must pay the funeral and burial expenses that are not paid by the deceased recipient's estate (but not more than $1,000).

Under this bill, a county, tribal governing body or organization responsible for burying the recipient is not required to make a payment for funeral, burial or cemetery expenses if the request for the payment is made more than 12 months after the recipient died.

Under current law, DWD administers a work experience program for noncustodial parents (parents who do not live with their children for substantial periods of time), commonly referred to as the children first program. A parent who fails to pay court–ordered child support or to meet the child's needs for support because of unemployment or underemployment is required to participate in the program, under which the person is provided with certain types of work experience, job training and job search assistance. Currently, DWD may contract with any county to administer the children first program. DWD pays the county $200 for each person who participates in the program in that county.

This bill permits DWD to contract with a W–2 agency or a county to administer the children first program. The bill requires DWD to pay the administering county or W–2 agency $400 for each person who participates in the program in the region in which the county or W–2 agency administers the program.

This bill provides that DHFS may use moneys derived from Indian gaming compacts to fund relief block grants to American Indian tribal governing bodies.

WISCONSIN WORKS

Under current law, two W–2 agencies in Milwaukee County are permitted to implement a program under which certain participants in community service jobs (wholly subsidized employment) may be paid wages rather than monthly grants. To qualify for a wage–paying community service job, the participant must already be engaged in unsubsidized employment for at least 15 hours per week. Currently, a W–2 agency may not require a person to work in a wage–paying community service job more than the lesser of 15 hours per week or the difference between 40 hours and the number of hours per week that the participant works in unsubsidized employment. If the participant qualifies for the federal earned income tax credit (EITC), current law qualifies the participant for the state EITC as well. Currently,

the wage–paying community service job program is scheduled to sunset on October 1, 2001.

This bill eliminates the sunset date for the wage–paying community service job program and expands the program, beginning on January 1, 2001, to allow all W–2 agencies to implement it for any individual that the W–2 agency determines is capable of working in an unsubsidized job but who, despite reasonable efforts, is unable to secure full–time unsubsidized employment. However, the bill caps the number of slots for the program at 2,500 statewide. Under the bill, a participant in a wage–paying community service job is disqualified from the state EITC with respect to any wages earned under the wage–paying community service job. Additionally, under the bill, the participant need not be engaged in unsubsidized employment to qualify for a wage–paying community service job. Finally, the bill allows a W–2 agency to require a participant in a wage–paying community service job to work in a community service job for not more than 30 hours per week and to participate in job search activities for not more than ten hours per week.

This bill requires a W–2 agency to assess the educational needs of an individual whom the W–2 agency proposes to place in unsubsidized employment or a trial job. Under the bill, if the W–2 agency determines that the individual needs basic education, such as courses leading to the granting of the equivalent of a high school diploma, and if the individual wishes to pursue the basic education, the W–2 agency must make basic education a part of an employability plan that the W–2 agency develops for the individual. The bill requires the W–2 agency to pay for the basic education services.

Under current law, with certain limited exceptions, a participant in the W–2 program may be required to work in a community service job for not more than 30 hours per week and to participate in education or training activities for not more than ten hours per week. If the W–2 agency requires fewer than 30 hours of work per week because the participant has part–time unsubsidized employment, the participant's grant amount may be reduced by an amount equal to the product of $5.15 and the difference between 30 and the number of hours that the participant is required to work. This bill specifies that if a W–2 agency places a person in a community service job for fewer than 30 hours per week because that person has part–time unsubsidized employment, the W–2 agency may reduce the monthly grant in accordance with a schedule developed by DWD.

Under current law, a child care subsidy is available to a parent or guardian of a child who is under the age of 13 if the parent or guardian meets certain income and asset limits and needs child care to participate in certain work–related activities, including employment skills training. If child care is needed in order to participate in employment skills training (which includes English as a second language courses, high school graduation equivalency courses and technical college courses), the parent or guardian must demonstrate that he or she has been employed in an

unsubsidized job for at least nine consecutive months or that he or she is a participant in a W–2 employment position in order to receive a child care subsidy.

Under this bill, if a person wishes to receive a subsidy for child care that is needed in order to pursue basic education (such as English as a second language courses, high school graduation equivalency courses or literacy tutoring), that person must demonstrate that he or she is employed in unsubsidized employment (without regard to length of employment) or that he or she is a participant in a W–2 employment position. A person who wishes to receive a subsidy for child care that is needed in order for the person to participate in a course of study at a technical college, or to pursue education that provides an employment skill, must demonstrate that he or she has been working in unsubsidized employment for three months (and continues to be so employed) or that he or she is in a W–2 employment position. As under current law, the W–2 agency must determine that the basic, technical or other education would facilitate the person's efforts to obtain employment.

Under current law, a contract to operate as a W–2 agency must require that the W–2 agency provide, or contract with another person to provide, credit establishment and credit repair assistance to W–2 participants. Currently, DWD may allocate not more than $3,000,000 annually for credit assistance to W–2 recipients in the city of Milwaukee.

Under this bill, rather than requiring credit establishment and credit repair services, a W–2 agency contract must require that the W–2 agency provide, or contract with another to provide, budgeting and financial planning services. The bill eliminates the allocation for credit establishment and credit repair services offered to W–2 participants in the city of Milwaukee.

Current contracts between DWD and W–2 agencies require the agencies to offer follow–up services for 60 days after a W–2 participant moves from a W–2 employment position to unsubsidized employment. This bill permits a W–2 agency, subsequent to that follow–up period, to offer case management services, including the provision of employment skills training, English as a second language classes and basic education, to an individual who has moved from a W–2 employment position to unsubsidized employment, regardless of the individual's income or asset level.

Currently, in calculating a person's income for the purpose of determining financial eligibility for W–2 or for a W–2 child care subsidy, a W–2 agency must include child support payments received by the person on behalf of any child who is a member of that person's household. This bill removes child support payments from the income consideration. The bill also directs the W–2 agency to include in the calculation of income for W–2 child care eligibility net earnings and certain business–related expenses reported to the Internal Revenue Service for farm and self–employment income.

MEDICAL ASSISTANCE

Under current law, certain people are eligible for MA because of substantial medical needs that consume so much of their income as to qualify them as low–income. This category of MA recipients is commonly referred to as medically needy. Other people are eligible for MA by virtue of their receipt of other federal assistance, such as SSI. This category of MA recipients is commonly referred to as categorically needy.

This bill directs DHFS to seek federal approval and to request any necessary waivers to expand MA eligibility to disabled persons who would qualify for SSI but for excess income and assets. Under the bill, a disabled person whose family's income is less than 250% of the federal poverty line and whose assets do not exceed $20,000 is eligible to receive MA if the person pays a monthly premium and a one–time initial premium established by DHFS. The bill directs DHFS, however, to pay the monthly premium for a person who is eligible for this MA purchase plan and who is receiving services under COP. The bill also authorizes DHFS to pay for that person's one–time entry premium.

The bill also requires DHFS to evaluate how to coordinate the MA purchase plan with HIRSP, which provides major medical health insurance coverage for, among others, persons who are covered under medicare because they are disabled but for which persons who are eligible for MA are not eligible. DHFS is required, if necessary, to develop proposed legislation that coordinates the two programs and that addresses the provision of health care coverage for individuals who are eligible for both HIRSP and the MA purchase plan.

Under the current MA program, DHFS certifies persons or facilities that meet certain criteria as providers and pays for services and items that MA recipients receive from the certified providers. DHFS is authorized or required to enforce numerous sanctions, including decertification or suspension from the MA program, against providers who fail to comply with requirements under the program or to whom improper or erroneous payments or overpayments have been made. To implement these sanctions, DHFS must provide written notice, a fair hearing and a written decision.

This bill prohibits MA providers from submitting false claims for payment of services or items. The bill permits DHFS to assess forfeitures for violations of the prohibitions and to impose a surcharge on a forfeiture that is assessed.

The bill authorizes DHFS to require certain MA providers, as a condition of certification, to file with DHFS a surety bond, payable to DHFS, under terms and in an amount specified by DHFS, that would reasonably pay the amount of a recovery and DHFS's costs to pursue recovery of overpayments or to investigate and pursue allegations of false claims or statements.

The bill authorizes DHFS, if DHFS first makes specified findings, to prescribe MA provider certification criteria that limit the number of providers of particular services or that limit the amount of resources, including employes and equipment, that a certified provider may use to provide MA services and items.

The bill makes various changes relating to the procedures for the recovery by DHFS of improper or erroneous MA payments or overpayments.

The bill eliminates DHFS's general authority to suspend a provider, but authorizes DHFS, if certain criteria are met, to suspend certification for a provider pending a hearing on whether the provider must be decertified for violation of federal or state laws. The bill eliminates the right of notice, a fair hearing and a written decision for most sanctions against providers that DHFS may enforce, except for decertification from or restriction of a provider's participation in the MA program.

The bill authorizes DHFS to prescribe conditions of MA participation and reimbursement terms and to impose additional sanctions for noncompliance. The bill requires immediate access, upon request by DHFS, to provider records and specifies that a provider's failure to provide access constitutes grounds for decertification.

The bill changes provisions concerning liability for repayment of improper or erroneous payments or overpayments of a provider who sells or otherwise transfers ownership of his or her business. Under the bill, before such a sale or transfer may take place, the provider must notify DHFS of the impending sale and DHFS must inform the provider of the extent of liability, if any. If liability exists, the provider must so inform the prospective transferee of the extent of the liability and the liability attaches to both the provider and the transferee, with the sale or other transfer conditioned upon repayment. If the provider fails to inform the transferee, liability does not attach to the transferee. Repayment must be made prior to the sale or transfer and, if not done, the sale or transfer is void.

Currently, a person who disposes of assets for less than the fair market value in order to qualify for MA is ineligible for MA for a certain period. Current law specifies that a transfer of assets to an irrevocable annuity is a transfer that is below the fair market value if the amount of the transfer exceeds the expected benefit.

This bill provides that a transfer of an asset to an irrevocable annuity, or a transfer of an asset by promissory note or similar instrument, is a transfer for the fair market value of the asset if certain conditions are met.

Under current law, DHFS must recover from the estate of a deceased MA recipient the amount of MA paid on behalf of the recipient while the recipient was a resident in a nursing home or an inpatient in a medical institution and the amount of MA paid on behalf of the recipient for certain services received by the recipient after the recipient was over the age of 55. One mechanism for recovery is a claim filed against the estate, which may include a lien placed on the home of a recipient who is a nursing home resident and not expected to return home. Currently, a lien may only be for the amount of MA paid on behalf of the recipient while the recipient resides in a nursing home.

This bill expands the estate recovery program as follows:

1. In addition to obtaining a lien on the home of a nursing home resident who is not expected to return home, the bill directs DHFS to obtain a lien on the home of an inpatient in a hospital who is not expected to return home. The lien, in both cases,

is for the amount of MA paid on behalf of that recipient that is generally recoverable, rather than only the amount paid while the recipient was in the nursing home (or hospital).

2. DHFS must recover expenditures for personal care services, which include assistance with meals, dressing, movement, bathing or other personal needs or maintenance.

Under current law, a court may reduce DHFS's claim in an estate by up to $3,000 to allow heirs and beneficiaries to retain certain personal property, including up to $1,000 in tangible personal property that is not used in trade, agriculture or other business. This bill allows a court to reduce DHFS's claim in an estate by up to $5,000, including $3,000 in tangible personal property that is not used in trade, agriculture or other business.

Under current law, payments to nursing homes for care provided to recipients of MA are determined under a payment system that considers specific allowable costs, under standards prescribed by DHFS. The standards for payment of allowable direct care costs, support service costs, heating fuel and utility costs and administrative and general costs of a nursing home may not be less than the median for such costs of a sample of all nursing homes. Payment for net property taxes or municipal services are required to be made on a range from actual costs to a maximum limit determined by DHFS. Payment for capital costs of a nursing home must be based on the home's replacement value, subject to DHFS limitations, except that DHFS may not reduce final capital payment by more than $3.50 per patient day and except that DHFS limitations do not apply to certain nursing homes that have high capital costs. DHFS must calculate a payment for a nursing home by applying specified standards and considering specified cost centers and allowable costs. Payments are based on cost reports from the nursing home's previous fiscal year.

This bill eliminates the requirement that DHFS base payment on information from cost reports from the nursing home's previous fiscal year. The bill also eliminates the requirement that the standards for payment by DHFS of allowable costs for direct care, support services, heating fuel and utilities, administration and general services be not less than the median for such costs for a sample of all nursing homes, although the bill still requires DHFS to consider a sampling of nursing homes in determining payment. The bill eliminates the limitation on the amount by which DHFS may reduce final capital costs payment of a nursing home. The bill revises the standard for payment for net property taxes or municipal services to limit the payment to actual previous costs, subject to a maximum determined by DHFS.

Under current federal law, with certain exceptions, states are permitted to require an individual who is eligible for MA to enroll in a managed care plan (generally a health maintenance organization, or HMO) rather than receiving services under the traditional fee–for–service system. Federal law prohibits states from requiring a child who is in foster care to enroll in a managed care plan as a condition of receiving MA.

This bill authorizes DHFS to request a waiver from the secretary of the federal department of health and human services to permit DHFS to require children in foster care to enroll in a managed care plan as a condition of receiving MA. If the waiver is granted and in effect, the bill permits DHFS to implement the waiver.

This bill requires DHFS to request a waiver from the secretary of the federal department of health and human services to permit DHFS to cover under MA clinical evaluation services for certain persons with HIV. The bill limits coverage to $500 per year per person.

Currently, DHFS must annually submit to JCF a report on nursing home bed utilization by MA recipients for the previous year. If the report indicates that the utilization has decreased, DHFS must include a proposal to transfer funds from the MA appropriation account to the COP appropriation account for expenditure for noninstitutional long–term support services.

This bill provides that the transfer of funds from MA to COP may not reduce the MA appropriation account balance below the amount necessary to ensure that the appropriation account will end the current fiscal year or the current fiscal biennium with a positive balance. The bill requires that DHFS's report to JCF include a discussion and detailed projection of the likely balances, expenditures, encumbrances and carry–over of currently appropriated amounts in the MA appropriation accounts.

Currently, MA recipients may obtain coverage for inpatient hospital services and outpatient services for treatment of alcohol or other drug abuse. This bill provides that MA recipients may receive, until July 1, 2003, residential treatment services for alcohol and other drug abuse, limited to 45 days of treatment services per treatment episode. The benefit may be provided only in a facility of fewer than 16 beds in a county, city, town or village that elects both to become certified as a provider of the services, or to contract with a certified provider to provide the services, and to pay the amount of the allowable charges for the services under the MA program that is not provided by the federal government.

Under current law, dental services are provided to MA recipients on a fee–for–service basis or under some form of managed care, such as through enrollment by a recipient in a health maintenance organization that provides dental services. This bill increases the amount paid under the MA program for dental services providers who provide services on a fee–for–services basis.

Currently, DHFS annually may distribute no more than $2,256,000 of MA moneys as supplements to rural hospitals that, compared to other rural hospitals, have a high utilization of inpatient services by persons whose care is provided from governmental sources. This bill authorizes DHFS to distribute the supplements of MA moneys also to critical access hospitals. A critical access hospital is a hospital

that DHFS determines meets specific federal medicaid requirements and has specific federal certification.

Under current law, at the request of DHFS, health insurers must provide information to enable DHFS to identify MA recipients who are eligible, or who would be eligible as dependents, for health insurance coverage. This bill authorizes DHFS to provide any information that it receives from a health insurer to DWD. The two departments must agree on procedures to safeguard the confidentiality of the information.

Currently, DHFS is authorized to provide enhanced reimbursement under CIP for a person who was relocated to the community from an intermediate care facility for the mentally retarded that closes. This bill additionally authorizes DHFS to provide enhanced reimbursement under CIP for a person who is relocated to the community from an intermediate care facility for the mentally retarded, or a distinct part of the facility, that has a DHFS–approved plan of closure and that intends to close within 12 months.

CHILDREN

Under current law, DHFS awards grants for various programs relating to youth alcohol and other drug abuse, adolescent pregnancy and other adolescent services. These programs include a neighborhood drug use and violence prevention program, a community alcohol and other drug abuse prevention program, a drug prevention program for Milwaukee public high school athletes, an adolescent self–sufficiency program, an adolescent pregnancy prevention program, an adolescent resource center in Milwaukee, a minority adolescent parenting skills program in Milwaukee and an adolescent choices project.

This bill eliminates all of these programs. The bill directs DHFS to award grants to public and private organizations operating in Milwaukee County; county departments of human services, social services, community programs or developmental disabilities services operating in counties other than Milwaukee County; and federally recognized American Indian tribes or bands in this state to provide programs to prevent and reduce the incidence of youth violence and other delinquent behavior, youth alcohol and other drug use and abuse, nonmarital pregnancy and child abuse and neglect; to increase the use of abstinence as a method of preventing nonmarital pregnancy; and to increase adolescent self–sufficiency by encouraging high school graduation, vocational preparedness, improved social and other interpersonal skills and responsible decision making. The bill requires DHFS to provide a set of benchmark indicators to measure the outcomes that are expected of a program receiving a grant and permits DHFS to renew a grant only if the recipient shows improvement on those indicators.

Under current law, an agency that is responsible for investigating reports of suspected or threatened child abuse or neglect must determine, within 60 days after receipt of such a report, whether abuse or neglect has occurred or is likely to occur.

Currently, there is no procedure for appealing that determination. This bill provides that if such a determination contains a finding that a specific person has abused or neglected a child, that person may appeal that finding in accordance with procedures established by DHFS.

Under current law, an agency that is responsible for investigating reports of suspected or threatened child abuse or neglect must keep its records confidential and may disclose those records only under certain conditions. This bill permits such an agency, subject to standards established by DHFS, to disclose to the news media and the general public information from the agency's records in cases in which a child died or was placed in serious or critical condition as a result of abuse or neglect.

Under current federal law, each state that receives a grant under the federal Child Abuse Prevention and Treatment Act must establish not less than three child abuse and neglect citizen review panels to evaluate the extent to which local agencies responsible for providing child protective services are effectively discharging their responsibilities and must ensure that otherwise confidential child abuse and neglect records are made available to those panels. This bill permits a child abuse and neglect citizen review panel established by DHFS or a county department to have access to the otherwise confidential child abuse and neglect records of an agency responsible for child protection as necessary for the panel to carry out its functions.

Under current law, a person is eligible for a subsidy for child care for a child who is under the age of 13 if the person meets certain requirements. The person must be a parent or other primary caretaker of the child; the person must initially have a gross income at or below 165% of the federal poverty line; and the person's assets may not exceed $2,500 in combined equity value.

This bill expands eligibility for a child care subsidy beginning on January 1, 2000. Under the bill, the initial income limit is increased to 185% of the poverty line and the asset limit is eliminated. The bill also expands the subsidy to cover child care for disabled children who are under the age of 19.

Under current law, DWD must award grants for the start–up or expansion of child care services and must attempt to award these grants to head start agencies, 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. A person who is awarded a child care start–up or expansion grant must contribute matching funds equal to 25% of the amount awarded and may not use any grant moneys to purchase or improve land or to purchase, construct or permanently improve, other than minor remodeling, any building or facility.

This bill requires DWD to award low–interest loans for the start–up or expansion of child care services. Under the bill, the same requirements that apply to the awarding of child care start–up or expansion grants, other than the matching funds requirement, apply to the awarding of child care start–up or expansion

low–interest loans. The bill also requires DWD to attempt to award child care start–up and expansion grants and low–interest loans to organizations that provide child care for sick children and to child care providers that employ participants or former participants in a W–2 employment position.

Under current law, if a W–2 agency determines that a person is eligible for a child care subsidy, the W–2 agency must refer that person to the county department. The county department determines, in accordance with a schedule developed by DWD, the amount of the person's copayment for child care; provides a child care subsidy, either in the form of a voucher or a direct payment to the child care provider; and helps the person identify available and appropriate child care. The county department also sets maximum reimbursement rates for child care providers and certifies certain child care providers. Finally, under current law, a county department is responsible for conducting a background investigation of child care providers prior to certifying them.

This bill permits DWD to require a county department, a tribal governing body or a W–2 agency to administer the child care subsidy program, except that in Milwaukee County, DWD must require a W–2 agency to administer the child care subsidy program in that county. Under the bill, whichever entity administers the program is responsible for determining the copayment amount, providing the subsidy, conducting background investigations on and certifying child care providers and identifying available and appropriate child care for subsidy recipients. County departments, however, retain the responsibility for setting maximum reimbursement rates for child care providers.

Under current law, DHFS may not license a person to operate a foster home, treatment foster home, group home, shelter care facility, child welfare agency or day care center; a county department or a child welfare agency may not license a person to operate a foster home or treatment foster home; a county department may not certify a person as a day care provider; and a school board may not contract with a person to operate a day care program if the person has been convicted of or has pending a charge for a serious crime, as defined by DHFS by rule; has abused or neglected a client or a child; has misappropriated client property; or is not sufficiently credentialed to provide adequate client care. In addition, such a licensed, certified or contracting entity may not hire or contract with such a person if the person is expected to have access to the entity's clients and may not permit such a person to reside at the entity as a nonclient. Such a person may, however, subject to certain exceptions, demonstrate that he or she has been rehabilitated. At the time of initial licensure, certification, hiring, contracting or residence and every four years after that, DHFS, a county department, a child welfare agency or a school board must obtain, with respect to an operator or nonclient resident of an entity, and an entity must obtain, with respect to an employe or contractor who has or is expected to have access to the entity's clients, certain personal background information, including information obtained from a criminal history search. DHFS, a county department,

a child welfare agency or a school board may charge a fee for obtaining this background information about an operator or nonclient resident of an entity.

This bill changes the type of interaction with clients that an employe or contractor must have to require a background investigation of the employe or contractor and to prohibit the employe or contractor from being hired by or from contracting with an entity. The bill, rather than requiring an investigation of an employe or contractor who has or is expected to have access to a client, instead requires an investigation of an employe or contractor who provides or is expected to provide to clients direct care that is more intensive than negligible in quantity or quality or in the amount of time required to provide the care. The bill also permits DHFS, a county department, a child welfare agency, a W–2 agency or a school board to charge a fee for the cost of providing background information to an entity about an employe or contractor and to charge a fee to a person for the cost of determining whether the person has been rehabilitated.

Under current law, a foster home may provide care and maintenance for no more than four children unless all of the children are siblings. This bill permits a foster home to provide care and maintenance for no more than four children or, if necessary to enable a sibling group to remain together, for no more than six children or, if DHFS promulgates rules permitting a different number of children, for the number of children permitted under those rules.

Under current law, subject to certain exceptions, DHFS, a county department or a licensed child welfare agency (collectively "agency") may not make available for inspection or disclose the contents of any record kept or information received about an individual in the care or legal custody of the agency except by order of the court assigned to exercise jurisdiction under the children's code (juvenile court). Current law, however, is silent as to the confidentiality of records kept and information received relating to a foster parent, treatment foster parent or family–operated group home parent (substitute care parent).

This bill prohibits an agency from making available for inspection or disclosing the contents of any record kept or information received relating to a substitute care parent or a family member of a substitute care parent without first receiving the written permission of the substitute care parent, except by order of the juvenile court. The bill does not prohibit an agency from disclosing information in confidence to another social welfare agency, from disclosing the contents of a record as permitted under the child abuse and neglect reporting law, from disclosing to the child's parent, guardian or legal custodian the name and address of the substitute care parent or from including the location of the child's placement in the child's permanency plan.

Current law appropriates to DHFS certain general purpose revenues (GPR) and federal revenues for foster care and for adoption assistance payments to parents who adopt children with special needs. This bill expands the purposes for which GPR and federal foster care and adoption services moneys are appropriated to DHFS to

include the cost of contracting with private adoption agencies to provide adoption services for children with special needs who are under the guardianship of DHFS.

Under current law, in Milwaukee County, DHFS is required to provide the juvenile court with services necessary for investigating and supervising child welfare cases under the children's code and the county board of supervisors is required to provide the juvenile court with services necessary for investigating and supervising cases under the juvenile justice code. Child welfare cases under the children's code include cases in which a child is alleged to have been abused or neglected or otherwise to be in need of protection or services under the children's code. Cases under the juvenile justice code include cases in which a juvenile is alleged to be delinquent, in violation of a civil law or ordinance or in need of protection or services under the juvenile justice code, that is, habitually truant from home or school, uncontrollable or a school dropout. The chief judge of the judicial administrative district covering Milwaukee County must formulate written judicial policy governing intake and juvenile court services for matters under the children's code and the juvenile justice code.

This bill prohibits the chief judge from directing DHFS to provide intake and juvenile court services in cases in which the referral information indicates that the juvenile should be referred to the juvenile court under the juvenile justice code, unless that information indicates that the juvenile should also be referred to the juvenile court under the children's code. The bill also requires the chief judge to direct DHFS and Milwaukee County to coordinate the provision of services in cases in which a DHFS intake worker determines that jurisdiction exists under the juvenile justice code instead of or in addition to the children's code and in cases in which a Milwaukee County intake worker determines that jurisdiction exists under the children's code instead of or in addition to the juvenile justice code.

HEALTH

Under current law, DHFS must administer a health care program (known as badger care) to provide health care coverage to low–income (generally defined as having an income at or below 185% of the federal poverty line) children and their parents if the children reside with their parents.

This bill expands the badger care program to cover any child under the age of 19 who meets financial and other eligibility requirements, regardless of whether the child resides with his or her parents. The bill also requires DHFS to lower the maximum income level for initial eligibility for badger care if funding for badger care is insufficient to accommodate the projected enrollment in badger care and requires DHFS to raise the income limit to up to 185% of the federal poverty line if, after having lowered the income level, funding for badger care becomes sufficient to cover projected enrollment of persons at the higher income level.

Currently, the health insurance risk–sharing plan (HIRSP) provides major medical health insurance coverage for persons who are covered under medicare because they are disabled, persons who have tested positive for human

immunodeficiency virus (HIV) and persons who have been refused coverage, or coverage at an affordable price, in the private health insurance market because of their mental or physical health condition. Also eligible for coverage are persons (called eligible individuals) who do not currently have health insurance coverage, but who were covered under certain types of health insurance coverage for at least 18 months in the past. HIRSP offers its enrollees who are not eligible for medicare an annual choice of coverage option. Responsibility for administering HIRSP is split between DHFS and the HIRSP board of governors (board).

This bill makes various changes to HIRSP. Except for an eligible individual, a person who is at least 65 years of age is not eligible for HIRSP coverage. The bill provides that a person who has HIRSP coverage on the date on which he or she attains age 65 does not lose eligibility for coverage because of his or her age.

With certain exceptions, current law provides that a person for whom a premium, deductible or coinsurance amount is paid by any governmental agency is not eligible for HIRSP coverage. The bill provides that a person who receives a reimbursement from DHFS for the cost of drugs for the treatment of HIV infection and for the treatment of acquired immunodeficiency syndrome (AIDS) is not ineligible for HIRSP coverage by reason of the reimbursement.

With certain exceptions, current law sets the deductible for coverage under HIRSP at $1,000. HIRSP pays 80% of covered costs exceeding the deductible. After a covered person has paid $2,000 in costs, including the deductible, in a calendar year, the bill directs HIRSP to pay 100% of the covered costs for the remainder of the calendar year. If more than one member of a family has HIRSP coverage, HIRSP pays 100% of covered costs after the family has paid $4,000 in costs. The bill specifies these values for covered persons not eligible for medicare who choose the other coverage option that HIRSP offers. Under the other coverage option, the deductible is $2,500. HIRSP pays 100% of the covered costs after a covered person has paid $3,500 in costs in a calendar year. For a family with more than one covered person, HIRSP pays 100% of covered costs after the family has paid $7,000 in costs.

Finally, the bill transfers to DHFS some of the board's responsibilities, such as establishing procedures for hearing grievances and collecting assessments from insurers, and requires the board to advise DHFS with respect to those responsibilities.

Under current law, DHFS may not license, certify, issue a certificate of approval to or register a person to operate an adult treatment facility or organization or to provide adult treatment services if DHFS knows that the person has been convicted of or has pending a charge for a serious crime; has been found to have abused or neglected a facility client or misappropriated client money; has abused or neglected a child; or is not sufficiently credentialed to provide adequate client care. In addition, an adult treatment facility or organization or a person providing services may not hire such a person if that person may have access to clients and an adult treatment facility may not allow him or her to reside as a nonclient at the facility. The prohibitions do not apply if the person demonstrates to DHFS that he or she has been rehabilitated, unless the person has been convicted of certain offenses. DHFS must

obtain specific personal background information, including that obtained from criminal history searches, about persons applying to operate adult treatment facilities or organizations or applying to provide adult treatment services. In addition, DHFS must obtain the information every four years for all persons licensed to operate such facilities or organizations or to provide such services and for nonclient facility residents and may charge a fee for conducting those personal background information checks. Every adult treatment facility or organization and every person who provides adult treatment services must obtain the same types of information about prospective employes or contractors, and every adult treatment facility must obtain such information about persons who seek to reside as nonclients in the facilities. The information must be obtained every four years for employes or contractors.

This bill authorizes DHFS to conduct background investigations on behalf of adult treatment facilities and organizations and persons who provide adult treatment services and to charge a fee for doing so. Additionally, the bill authorizes DHFS to charge persons a fee for the costs incurred by DHFS under requests to demonstrate that the persons have been rehabilitated.

The bill changes the type of interaction with clients that a prospective employe or a prospective contractor must have in order to require a background investigation of the employe or contractor and to prohibit the employe or contractor from being hired by or from contracting with adult treatment facilities, organizations or services. The bill, rather than requiring investigation of a person who has or is expected to have access to the clients of the facility, organization or service, instead requires investigation of a person who provides to the clients or is expected to provide to the clients, direct care that is more intensive than negligible in quantity or quality or in the amount of time required to provide the care. Restrictions on nonclient residents at the facility, organization or service are unchanged by the bill.

Under current law, DHFS administers the birth and developmental outcome monitoring program (BDOMP). Under that program, a report must be made to DHFS by a physician or nurse who diagnoses or confirms a suspected diagnosis that a child under the age of six has a condition resulting from a low birth weight, a chronic condition possibly requiring long–term care, a birth defect or a developmental disability or other severe disability. DHFS must develop and implement a system for the collection, updating and analysis of the information reported and to disseminate the information.

This bill eliminates BDOMP. Instead, the bill requires physicians, hospitals, certain clinics and clinical laboratories to report birth defects identified in children under the age of two to DHFS. The bill requires DHFS to establish and maintain a registry that documents the diagnosis of a birth defect in a child under the age of two. As under current law, personally identifying information that is contained in the reports made to DHFS is confidential and, with certain exceptions, may not be released to any person. Finally, the bill creates a council on birth defect prevention

and surveillance to advise DHFS regarding the registry and rules related to reporting.

Under current law, DHFS licenses and otherwise regulates emergency medical technicians and ambulance service providers. DHFS may charge a reasonable fee for licensure. This bill authorizes DHFS to impose forfeitures on ambulance service providers for violation of laws that prescribe conditions for licensure and for operation of ambulances. The bill clarifies that DHFS may charge a fee for the renewal of licenses for emergency medical technicians and ambulance service providers and authorizes DHFS to charge fees for untimely license renewal. DHFS must promulgate rules to establish the amounts for assessments of the forfeitures, fees for license renewal and late renewal fees.

This bill does all of the following with respect to tuberculosis:

1. Requires that laboratories that perform primary culture for mycobacteria also perform organism identification for mycobacterium tuberculosis and conduct antimicrobial drug susceptibility tests on the mycobacterium tuberculosis bacteria. The results of that test must be reported to DHFS.

2. Creates a process by which a person with infectious tuberculosis or with a suspected case of tuberculosis may be confined pending a hearing if the confinement is to be longer than 72 hours.

3. Permits local health departments to request from DHFS certification to establish and maintain a public health dispensary.

This bill provides that DHFS may use moneys derived from Indian gaming compacts to fund grants for cooperative American Indian health projects.

Under current law, DHFS must base fees for renewal of home health agency licenses on the annual net income, as determined by DHFS, of each home health agency seeking license renewal. This bill eliminates annual net income of home health agencies as a basis for establishing fees for home health agency license renewal, thus permitting DHFS to base fees on any criterion.

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, a person who is believed to be mentally ill and a proper subject for treatment and who evidences certain acts, omissions or other behavior that indicate that he or she satisfies at least one of five standards of dangerousness may be detained on an emergency basis and transported to and detained and treated in a mental health treatment facility. A petition signed by three others may be brought against the detained person alleging that the detained person is mentally ill, is a proper subject for treatment and is dangerous because he or she meets a standard for involuntary civil commitment. If such a petition is filed with a court, the subject of the petition must be given a hearing to determine if there is probable cause to support the petition's allegations. If a court finds probable cause, a final hearing on commitment must be held. If, at the hearing, the person is again found

to satisfy one of the standards of dangerousness he or she may be involuntarily committed to the care and custody of a county department of community programs for appropriate treatment.

Currently, one of the five standards of dangerousness for involuntary civil commitment terminates on December 1, 2001. That standard, known as the fifth standard, requires that a person, because of mental illness, either evidences the incapability of expressing an understanding of the advantages and disadvantages of and alternatives to accepting a particular medication or treatment after these have been explained to him or her or evidences substantial incapability of applying an understanding of those advantages, disadvantages and alternatives to his or her mental illness in order to make an informed choice as to whether to accept or refuse medication or treatment. The person also must evidence a substantial probability, as demonstrated by both his or her treatment history and recent acts or omissions, that he or she needs care or treatment to prevent further disability or deterioration. Lastly, the person must evidence a substantial probability that he or she will, if left untreated, lack services necessary for his or her health or safety and suffer mental, emotional or physical harm that will result in either the loss of his or her ability to function independently in the community or the loss of cognitive or volitional control over his or her thoughts or actions.

This bill eliminates the December 1, 2002, termination of the fifth standard for emergency detention and involuntary civil commitment of persons with mental illness.

Currently, if a person is found to be a proper subject for treatment and is found to satisfy at least one of the five standards of dangerousness, the person may initially be committed for treatment for a period not to exceed six months. In addition, a commitment order may be extended after an evaluation of the person. Each consecutive commitment order extension may be for a period not to exceed 12 months.

An inmate of a jail, house of correction or prison may be subject to an involuntary commitment proceeding based on a petition described above. However, there is an alternative petition that may be used to begin an involuntary commitment proceeding against an inmate. This alternative petition must allege all of the following: 1) that the inmate is mentally ill, is a proper subject for treatment and is in need of treatment; 2) that the inmate has been fully informed about, and has had the opportunity to discuss, his or her treatment needs and the mental health services available to him or her; and 3) that appropriate less restrictive forms of treatment have been attempted and have been unsuccessful. If an inmate is committed based on an alternative petition, the total period that the inmate may be committed may not exceed 180 days in any 365–day period.

This bill extends the period for which an inmate of a state prison may be committed based on an alternative petition to a period not to exceed one year. The bill does not change the current time limits on the commitment of an inmate of a jail or house of correction based on an alternative petition.

Current law provides a procedure for involuntarily committing sexually violent persons to DHFS for control, care and treatment. A sexually violent person is a person who has been convicted of certain sexually violent offenses and who is dangerous because he or she suffers from a mental disorder that makes it substantially probable that the person will engage in acts of sexual violence.

Under current law, when a person is found to be a sexually violent person the person must be committed to the custody of DHFS. The court that commits the person must specify whether the person is to be placed in institutional care or on supervised release in the community, and DHFS must 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 court's commitment order.

If the court decides to place the person on supervised release, DHFS and the county social services department (county department) of the person's county of residence must prepare a plan for the treatment and services that the person will receive while on supervised release. If the county department of the person's county of residence declines to prepare a plan, DHFS or the court must find another county department to prepare the plan. In *State v. Sprosty*, 221 Wis. 2d. 401 (Ct. App. 1998), the court of appeals held that once a court has ordered a person placed on supervised release, the person must be released and DHFS and the county responsible for preparing the plan must provide or contract for appropriate treatment and services or, if such treatment and services are not available, create them.

This bill makes the following changes relating to supervised release of sexually violent persons:

1. The bill establishes new guidelines for a court's decision concerning whether to place a person on supervised release. Under the bill, a court may not order a person to be placed on supervised release if the court finds that it is substantially probable that the person will engage in acts of sexual violence unless the person resides in a facility with a level of security comparable to that of a secure mental health unit or facility. However, even if it makes this finding, the court may withhold its decision concerning placement and order DHFS and the appropriate county department to prepare a plan for supervised release for the person, but only if the person first establishes that it is likely that the daily cost of providing the necessary programs and facilities for control, care and treatment of the person on supervised release would not exceed the daily cost of control, care and treatment of the person at a secure mental health unit or facility.

If the court withholds its decision and orders preparation of a supervised release plan, the court must then consider whether to approve or disapprove the plan under the new procedure created by the bill (see item 2., below). Even if the plan meets the criteria for approval under the new procedure, the court may approve the plan and place the person on supervised release only if the daily cost of supervised release would not exceed the daily cost of institutional care at a secure mental health unit or facility.

2. The bill creates a new procedure that a court must use to approve or disapprove a supervised release plan. Under the bill, the court must hold a hearing on a proposed supervised release plan within 30 days after the plan is presented to

the court. Based on evidence provided at the hearing, the court must approve the plan if it determines that the plan provides adequate treatment and services to the person and adequate protection to the community. Likewise, the court must disapprove the plan if it determines that the plan does not provide adequate treatment and services to the person and adequate protection to the community. If the court disapproves the plan, DHFS and the county department must revise the plan and present it to the court again. If the court approves the plan, the court must order that the person be placed on supervised release in the county that prepared the plan. DHFS and the county department that prepared the plan must implement the plan and DHFS may ask the court for any orders that are necessary to ensure implementation of the plan.

The bill also requires DHFS to place a sexually violent person in a secure mental health treatment setting if the court decides to place the person in institutional care rather than on supervised release.

This bill requires DHFS to contract with counties or federally recognized American Indian tribes or bands to provide one or two demonstration projects in fiscal year 2000–01. The projects are to provide mental health and alcohol or other drug abuse services under managed care programs of MA to persons who suffer from mental illness, alcohol or other drug dependency, or both illness and dependency. DHFS must submit for approval by the secretary of the federal department of health and human services any necessary requests for waiver of federal medicaid laws to effectuate these managed care demonstration projects.

Under current law, the Mendota Mental Health Institute and the Winnebago Mental Health Institute are operated by DHFS to provide specialized psychiatric services, research and education. In addition, DHFS may establish a system of outpatient mental health clinic services in any institution that DHFS operates. A county department of community programs must under contract authorize all care of most patients in the mental health institutes. Also, DHFS may provide outpatient services at the Winnebago Mental Health Institute to public school pupils.

This bill eliminates the explicit authorization for the Winnebago Mental Health Institute to provide outpatient mental health services for pupils. Instead, the bill authorizes DHFS to allow a mental health institute to offer, when DHFS determines that community services need to be supplemented, 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, that are situated on the grounds of a mental health institute. These services may be provided only under a contract between DHFS and specified entities, to persons who are referred by the entity. Further, the services are governed by the terms of the contract or by statutes and DHFS rules that regulate facilities, govern certain mental health services and provide mental health patient rights. In the event of a conflict between contract provisions and these statutes or rules, the services must comply with the contractual, statutory or rules provision that is most protective of the health, safety, welfare or rights of the recipient of the services, as

determined by the mental health institute. Specified mental health statutes, including emergency detention and commitment laws, and zoning and other county, city, town or village ordinances, do not apply to provision of the services.

Under current law, DHFS provides funding through county departments of community programs for mental health treatment services for persons who are in or relocated from facilities that have been found by the federal health care financing administration to be institutions for mental diseases (and, thus, ineligible for receipt of MA). Also under current law, every person who applies for admission to a nursing home or to an institution for mental diseases must be screened to determine if the person has a developmental disability or a mental illness and, if so, whether the person needs facility care and active treatment for the developmental disability or mental illness.

This bill requires DHFS to provide funding for active treatment of a person in a nursing home or institution for mental diseases who has been determined, through screening, to have a mental illness and to need the treatment.

Under current law, county departments of community programs authorize the care of all patients in state mental health institutes. DHFS regularly bills the county departments for care provided by mental health institutes at rates that reflect the estimated per diem cost of specific levels of care, as adjusted periodically by DHFS.

This bill authorizes DHFS to set rates on a flexible basis, rather than at the estimated per diem cost of specific levels of care, for billing county departments of community programs for care provided in mental health institutes. The bill requires that the flexible rate structure recover the cost of operations.

Under current law, DHFS provides services at the Southern Center for the Developmentally Disabled for up to ten developmentally disabled persons who are mentally ill or exhibit extremely aggressive and challenging behaviors and for up to 12 such persons at the Northern Center for the Developmentally Disabled. This bill increases to 36 the total number of such persons for whom DHFS may provide services and permits the services to be provided at the southern, northern and central state centers for the developmentally disabled.

OTHER HEALTH AND SOCIAL SERVICES

Under current law, DHFS and the department of commerce are authorized to jointly regulate sources of ionizing and nonionizing radiation. DHFS annually registers sites of ionizing radiation installations, such as medical sites, and imposes annual fees for each site and each X–ray tube at the site. Violation of the regulatory statutes or rules subjects the violator to a forfeiture.

This bill eliminates the authority of the department of commerce to regulate sources of ionizing and nonionizing radiation. The bill authorizes the governor to enter into agreements with the U.S. Nuclear Regulatory Commission to discontinue certain federal governmental licensing and related regulatory authority with respect to by–product, source and special nuclear radioactive material and to assume state

regulatory authority. Under the bill, if the agreements are made, persons possessing licenses issued by the U.S. Nuclear Regulatory Commission are considered to be licensed by the state.

The bill authorizes DHFS, beginning on January 1, 2003, to license specifically the possession, use, transfer or acquisition of radioactive by–product material and to license specifically the possession, use, manufacture, production, transfer or acquisition of radioactive material or devices or items that use radioactive material and to operate a site that uses radioactive material. The bill also authorizes DHFS to establish general license requirements for the possession, use, transfer or acquisition of by–product radioactive material or devices or items that contain by–product radioactive material.

The bill authorizes DHFS annually, until January 1, 2003, to assess a fee of 36% of the U.S. Nuclear Regulatory Commission license application fee and annual materials license fee, for any person in this state holding a license issued by the U.S. Nuclear Regulatory Commission. The bill also authorizes DHFS to revise the fee amounts.

The bill eliminates court–imposed forfeitures for violations of the radiation regulatory statutes and rules of DHFS and instead establishes administrative forfeitures that DHFS may directly assess.

Lastly, the bill authorizes DHFS to issue emergency orders to protect the public from radiation exposure; increases the annual fees for registration of ionizing radiation installation sites and for X–ray tubes at those sites; and changes current law to prohibit, rather than to allow, the transfer of registration of ionizing radiation installations if ownership transfers.

This bill appropriates federal substance abuse block grant moneys to DHFS and authorizes DHFS to award the moneys to counties and private entities to provide community–based alcohol and other drug abuse treatment programs. The programs must meet the special needs of women with problems resulting from alcohol or other drug abuse and must emphasize parent education, vocational and housing assistance and coordination with other community programs and with treatment under intensive care.

Under current law, DHFS distributes community aids to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. DHFS must distribute community aids in the form of a basic county allocation, together with certain categorical allocations, including an allocation for Alzheimer's family and caregiver support. A county's annual community aids allocation is specified in a contract between DHFS and the county, and DHFS distributes the county's allocation in reimbursement of claims submitted by the county for moneys expended for those services.

This bill specifies that DHFS may distribute no more than $4,500,000 of the basic county allocation in each fiscal year based on performance standards developed by DHFS for services funded by community aids. The bill provides that, if a care management organization under the family care program, created under the bill (see

LONG–TERM CARE; FAMILY CARE), is available in a county, DHFS may dispose of the county's Alzheimer's family and caregiver support allocation and not more than 21.3% of the county's basic county allocation by transferring a portion of those allocations, as determined by DHFS, to the family care program to fund the services of resource centers and care management organizations under that program and by transferring a portion of those allocations, as determined by DHFS, to the county's allocation for adult protective services created under the bill.

On January 4, 1999, DWD assumed responsibility from the clerks of court for receiving and disbursing child support, maintenance, family support and other support–related payments. A payer of support or maintenance currently must pay an annual receipt and disbursement fee of $25 to DWD. This bill provides that the receipt and disbursement fee must be paid by wage assignment, just as support and maintenance payments are paid.

Current law provides that each order for child or family support, maintenance or spousal support is an automatic assignment of a person's wages to DWD in an amount that is sufficient to ensure payment of the amount under the order, as well as any arrearages due at a periodic rate that does not exceed 50% of the amount due under the order, as long as the additional amount for arrearages does not leave the person at an income below the federal poverty line. Current law also provides that, if an assignment does not require immediately effective withholding and the payer misses a payment, the court or family court commissioner may cause the assignment to go into effect by providing notice of the assignment to the payer's employer or other person from whom the payer receives or will receive money. The payer also receives notice and may request a hearing on whether the assignment should remain in effect.

This bill clarifies that the portion of the original assignment that was for any arrearages due is an assigned amount that does not require immediately effective withholding and that, if a payer accrues an arrearage by missing a payment, the assignment of the arrearage may be put into effect, without another court hearing, by providing notice to the payer and to a person from whom the payer receives or will receive money. The bill provides that, in addition to the court and the family court commissioner, the county child support agency may cause the assignment for arrearages to go into effect by sending the required notices.

The bill also provides that the wage assignment of a person obligated to pay support or maintenance continues in effect after the person no longer has a current obligation to pay if the person has an arrearage in the payment of support or maintenance. The amount of the assignment may be up to the amount that the assignment was before the person's current obligation to pay support or maintenance terminated.

Under current law, in a number of situations the state may join in an action affecting the family (such as a divorce action or an action to enforce a child support order) as a real party in interest for purposes of establishing paternity or securing future support or reimbursement of aid paid. The most common situation is when a child or custodial parent of a child involved in the action is the recipient of certain

services or benefits provided by the state. This bill adds another situation under which the state may join in an action as a real party in interest: if a custodial parent involved in the action is receiving food stamp benefits.

Under current law, DWD certifies to the department of revenue (DOR) the names of individuals who are delinquent in the payment of child or family support, maintenance, medical expenses of a child or birth expenses (support). DOR uses the information to intercept income tax refunds that would be paid to those delinquent obligors. DWD also provides the certifications that it makes to DOR to various specified state agencies that make grants or loans to individuals. Any individual who is the subject of such a certification is prohibited from receiving a grant or loan.

Also under current law, if an individual who has a court–ordered obligation to make periodic payments of support fails to make a payment, the amount of the delinquent support automatically becomes a lien against all of the individual's property. DWD is required to maintain a statewide support lien docket that lists the delinquent obligors and the amount of support that each owes.

This bill eliminates the requirement that DWD provide to the various specified state agencies the certifications that it provides to DOR. Instead the bill prohibits each agency from making a grant or loan to an individual whose name appears on the statewide support lien docket, unless the individual provides to the agency a copy of a payment agreement that has been approved by a county child support agency for the payment of the delinquent support.

Under current law, the state receives federal foster care and adoption assistance funding under Title IV–E of the federal Social Security Act (generally referred to as IV–E funds), in reimbursement of moneys expended by the state and the counties for activities relating to foster care and the adoption of children. DHFS distributes IV–E funds as community aids to counties for the provision of social services to children and families. If on December 31 of any year there remains unspent or unencumbered in the community aids basic county allocation an amount that exceeds the amount of IV–E funds allocated as community aids in that year (excess IV–E funds), DHFS must carry forward to the next year those excess IV–E funds and distribute not less than 50% of those excess IV–E funds to counties other than Milwaukee County for services and projects to assist children and families.

This bill requires DHFS to distribute as community aids to counties other than Milwaukee County any MA funds received as reimbursement of moneys expended in those counties by the state and by the counties for case management services provided to children who are recipients of MA (MA targeted case management funds). The bill also provides that, if on December 31 of any year there remains unspent or unencumbered in the community aids basic county allocation an amount that exceeds the combined amount of IV–E funds and MA targeted case management funds distributed as community aids in that year (excess IV–E and MA targeted case management funds), DHFS must carry forward to the next year those excess IV–E and MA targeted case management funds and distribute those excess funds to

counties other than Milwaukee County for services and projects to assist children and families.

The bill also requires DHFS to establish and counties to implement a statewide automated child welfare information system (generally referred to as WISACWIS) before July 1, 2006; permits DHFS, beginning on July 1, 2001, to distribute excess IV–E funds only to counties that are making a good faith effort to implement WISACWIS; and permits DHFS to recover from a county that does not implement WISACWIS before July 1, 2006, any excess IV–E funds distributed to that county after June 30, 2001.

Under current law, general purpose revenue funds services for adolescent parents that emphasize high school graduation and vocational preparation, training and experience (otherwise known as adolescent self–sufficiency services); adolescent pregnancy prevention services; in Milwaukee County, services of an adolescent resource center and services related to development of adolescent parenting skills; and the provision of information to communities about problems of adolescents and information to and activities for adolescents to aid in skills development (otherwise known as adolescent choices project grants). This bill substitutes moneys that are received under the federal TANF block grant to fund all of these services.

Current law directs the adolescent pregnancy prevention and pregnancy services board to award grants to provide adolescent pregnancy prevention programs or pregnancy services. The grants currently are funded with general purpose revenue. This bill funds the grants with moneys that are received under the federal TANF block grant program.

This bill appropriates moneys derived from Indian gaming compacts to fund the American Indian drug abuse prevention and education program, to fund the delivery of social services and mental hygiene services to American Indians and to fund vocational rehabilitation services for Native American individuals and federally recognized tribes or bands.

Currently, each person ordered to pay a fine or forfeiture for operating a motor vehicle while under the influence of an intoxicant, controlled substance or other drug (OWI) is required to pay a driver improvement surcharge of $340. A majority (62.4%) of the money collected from the driver improvement surcharge is used by the county where the violation occurred to provide alcohol and other drug abuse services to drivers who are referred for alcohol or other drug abuse assessment. A portion of the remainder of the money is used to provide chemical testing training to law enforcement officers and a portion is allocated by the secretary of administration to various state agencies for services related to OWI offenses.

Under this bill, of the money received by the state from the driver improvement surcharge, $290,900 is transferred to the department of transportation for the purchase of preliminary breath screening instruments. These instruments are used

to test the breath of a person who is suspected of committing an OWI offense at the time that the person is stopped to help determine if an arrest is appropriate.

INSURANCE

This bill requires every managed care plan, which is, generally, a health care plan that requires insureds to obtain services from certain specified providers under contract with the health care plan, to offer at least one point–of–service coverage option in each geographical service area of the managed care plan. A point–of–service coverage option is a coverage option under which an insured may obtain health care services that are paid for by the health care plan from a provider of his or her choice, regardless of whether that provider is a participating provider of the insured's health care plan or a member of the health care plan's provider network.

This bill authorizes the office of the commissioner of insurance (OCI) to make a grant of not more than $200,000 to a private organization for the establishment of private health insurance purchasing pools for small employers. (Generally, small employers are those with 50 or fewer employes.) The private organization must submit a business plan to OCI and the commissioner of insurance must approve the plan before the grant may be made. OCI and the private organization must enter into a written agreement concerning the use of the grant proceeds, and the private organization must submit a report to OCI after spending the proceeds.

Under current law, most policy forms for all types of insurance must be filed with OCI and approved prior to use. This bill allows the commissioner to exempt certain classes of insurance policy forms from the requirement for prior filing and approval.

Currently, OCI charges various fees for services that it provides, as well as for its regulation of the insurance industry. This bill changes the amount of the fee that OCI charges an applicant for examination for a license as an insurance intermediary and the amount of the fee for regulating an insurance intermediary each year after the year in which the intermediary's license was initially issued to amounts set by the commissioner by rule.

LOCAL GOVERNMENT

Under current law, a county board may engage in zoning and land–use planning that may result in the preparation of a county development plan for the physical development of the towns within the county and for the cities and villages within the county whose governing bodies agree to have their areas included in the county plan. The development plan may include a number of elements, such as comprehensive surveys, existing land–use, population, economy, soil characteristics, wetland and floodplain conditions and natural features of the county.

Also under current law, a city or village, or certain towns that exercise village powers, may create a plan commission to engage in zoning and land–use planning.

The plan commission must adopt a master plan for the physical development of the city, village or town including, in some instances, unincorporated areas outside of the city or village. The master plan is required to show the commission's recommendations for such physical development, and must also contain a comprehensive zoning plan.

Also under current law, regional planning commissions (RPCs) may be created by the governor or, in response to a resolution submitted by the governing body of a city, village, town or county (political subdivision), by a state agency or official that the governor designates. Currently, there are eight multicounty RPCs in the state and one RPC that consists only of Dane County. Five counties, which are adjacent to Dane County, are not in an RPC. Generally, the membership composition of an RPC is specified by statute, and the governor may dissolve an RPC by the request of a majority of the local governments in the region.

An RPC is required to prepare a master plan for the physical development of the region, which must contain the RPC's recommendations for such physical development. The elements of an RPC's master plan are the same as the elements contained in a master plan developed by a city, a village and certain towns, although all of an RPC's functions are solely advisory to the political subdivisions that comprise the region.

This bill changes the membership composition of the Dane County RPC on the 31st day after the effective date of the bill, and dissolves the RPC on December 31, 2001. Under the bill, all of the members of the Dane County RPC are appointed by the governor from lists submitted by the Dane County executive, the mayor of the city of Madison and associations representing third and fourth class cities, villages and towns. If the Dane County RPC has any outstanding debt on the date of its dissolution, that debt is assessed to Dane County. The bill also requires the five boards of the counties that are not in an RPC, and the Dane County board, to vote on whether they want to participate in a new multicounty RPC. If at least two–thirds of the voting counties approve, the new RPC becomes effective on January 1, 2002. The bill also specifies that the membership composition of all RPCs that are created after December 31, 2001, that include a county that contains a 2nd class city must follow the same statute that sets the membership composition for a RPC that contains a 1st class city. Finally, the bill prohibits after December 31, 2001, the creation of an RPC that consists of only one county.

The bill also changes the requirements that must be contained in a county development plan or a city, village, town or RPC master plan. Under the bill, all such plans must do all of the following:

1. Include background information on the local governmental unit and a statement of objectives, policies, goals and programs of the local governmental unit to guide the future growth and development of the local governmental unit over a 20–year planning period.

2. Include information on the local governmental unit's housing stock and plans for housing for residents with all income levels and various needs.

3. Address transportation issues and evaluate the relationship between the local governmental unit's transportation plans and state and regional transportation plans.

4. Guide the development of public and private utilities, governmental services and community facilities.

5. Guide the development of conservation policies for, and the effective management of, agricultural, natural, historic and cultural resources.

6. Promote the stabilization, retention or expansion of the economic base of, and quality employment opportunities in, the local governmental unit.

7. Provide for joint planning and decision making with other jurisdictions.

8. Guide the future development and redevelopment of public and private property in the local governmental unit.

9. Contain programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinances, building codes or subdivision ordinances, to implement the other elements.

The bill does not, however, require a local governmental unit to take any specific action at any particular time. If a local governmental unit that has not created a development plan or a master plan before the effective date of the bill does so, or amends an existing plan after the effective date of the bill, the new elements of a development plan or master plan that are contained in the bill must be used.

Under current law, most towns may incorporate as a city or village only after following certain procedures and receiving approval for the incorporation from a circuit court and from the department of administration (DOA). The circuit court must review the incorporation petition to ensure compliance with procedural and signature requirements and must make several determinations relating to minimum area and population density requirements of the area to be incorporated. This bill reduces the minimum area requirements from four square miles to three square miles under certain circumstances. DOA must also determine whether the proposed incorporation is in the public interest.

Current law allows any combination of cities, villages or towns (municipalities) to determine the boundary lines between them under a cooperative plan that is approved by DOA. This bill authorizes municipalities that enter into a cooperative plan to include as part of the plan the incorporation of all or part of a town into a city or village. Because an incorporation that is part of a cooperative plan may not take effect unless it is approved in a referendum, such a plan must include a contingency cooperative plan that will take the place of the plan if the proposed incorporation is defeated in the referendum. An incorporation as part of a cooperative plan is subject to DOA review and very limited circuit court review.

Under current law, a city, village, town or county (political subdivision) may create an environmental remediation tax incremental district (ERTID) to defray the costs of remediating contaminated property that is owned by the political

subdivision. The mechanism for financing eligible costs is very similar to the mechanism under the tax incremental financing (TIF) program.

Under this bill, ER tax incremental financing may be used to defray the costs of remediating contaminated property that is owned by private persons.

Currently, before a political subdivision may use ER tax incremental financing, it must create a joint review board that is similar to the current tax incremental district (TID) joint review board, or a city or village may use an existing TID joint review board, to review the political subdivision's proposal to remediate environmental pollution. If the joint review board approves the proposal, the political subdivision may proceed with its plan. An ERTID joint review board is made up 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 and one public member.

This bill clarifies that the joint review board consists of one representative from each of the taxing jurisdictions that has power to levy taxes on the property in the ERTID.

Under current law, if 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 chooses that representative to the board. Under the bill, a similar provision applies if more than one city, village or town has the power to levy taxes on the property that is remediated.

Currently, a political subdivision that has incurred eligible costs to remediate environmental pollution on a parcel of property may apply to the department of revenue (DOR) to certify the environmental remediation tax incremental base (ERTIB) of the parcel.

Under the bill, the environmental remediation does not need to be completed before a political subdivision may apply to DOR to certify the ERTIB. The political subdivision is required, under the bill, to submit to DOR a statement that the political subdivision has incurred some eligible costs and to include with the statement a detailed proposed remedial action plan that contains cost estimates for anticipated eligible costs. The political subdivision is also required to include certification from DNR that the department has approved the site investigation report that relates to the parcel.

Currently, eligible costs are costs related to the removal, containment or monitoring of, or the restoration of soil or groundwater affected by, environmental pollution. Eligible costs are reduced by any amounts received from persons who are responsible for the discharge of a hazardous substance on the property and by the amount of net gain on the sale of the property by the political subdivision.

This bill includes in eligible costs property acquisition costs, costs associated with the restoration of air, surface water and sediments affected by environmental pollution, demolition costs including asbestos removal, and the costs of removing and disposing of certain abandoned containers. The bill reduces eligible costs 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 and that do not require reimbursement or repayment. Under the bill, a political subdivision is authorized to use an ER 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.

Under current law, town territory that is contiguous to any city or village may be annexed to that city or village. In a county with a population of at least 50,000, DOA is authorized to mail to the clerks of the town and city or village involved in the proposed annexation a notice that states that, in the opinion of DOA, the annexation is against the public interest. Currently, DOA renders its opinion within 20 days after receipt of the notice of annexation.

Under this bill, the period of time under which DOA renders its opinion is expanded from 20 days to 60 days. DOA may halt the annexation process if DOA determines that the legal description or scale map is illegible, contains errors that prevent DOA from ascertaining the territory that is proposed to be annexed or does not conform to generally accepted standards for the preparation of legal descriptions or scale maps. If the proposed annexing city or village cures these defects to DOA's satisfaction, the annexation process may proceed.

Currently, an annexation ordinance takes effect upon the enactment of the ordinance. Under the bill, an annexation ordinance does not take effect until it is recorded with the register of deeds.

Under the current blighted area law, cities, villages and towns (municipalities) may undertake redevelopment projects, which include the acquisition of property, to improve conditions in blighted or slum areas. Under the current Blight Elimination and Slum Clearance Act, a redevelopment authority is created in every municipality in which slum and blighted areas exist to engage in blight elimination, slum clearance and urban renewal programs. Under the TIF program, cities or villages may create tax incremental districts to foster redevelopment in blighted or slum areas.

This bill adds environmental pollution to the current definition of a blighted area under the blighted area law, the Blight Elimination and Slum Clearance Act and the TIF program.

Under current law, any person may inspect, copy or receive a copy of a public record unless the record is specifically exempted from access under state or federal law or authorized to be withheld from access under state law, or unless the custodian of the record demonstrates that the harm done to the public interest by providing access to the record outweighs the strong public interest in providing access.

This bill specifically authorizes the custodian of any record of a local governmental unit to withhold from access information contained in a record of the

governmental unit pertaining to the home address or home telephone number of any employe of that governmental unit.

NATURAL RESOURCES

FISH, GAME AND WILDLIFE

This bill changes the fees charged by the department of natural resources (DNR) for certain hunting and fishing approvals. For hunting, the bill increases the fees for all resident hunting licenses except turkey hunting licenses and small game hunting licenses issued to certain persons. The bill increases the fees for all nonresident hunting licenses except turkey hunting licenses. The bill also increases the fees for trapping licenses, bonus deer hunting permits and wild turkey hunting stamps. The bill decreases the fee for pheasant hunting stamps.

For fishing approvals, the bill increases the fees for resident annual fishing licenses and fishing licenses issued jointly to resident married couples. The bill increases the fees for all nonresident fishing licenses except two–day sports fishing licenses. The bill increases the fee for sturgeon spearing licenses and decreases the fees for inland waters trout stamps and Great Lakes trout and salmon stamps.

This bill increases the fees charged by DNR for licenses for wild animal game farms, except fur animal farms, and for wildlife exhibits.

The bill also authorizes DNR to impose surcharges for the following licenses:

1. Licenses for game farms on which there are bears or cougars.
2. Licenses for game farms on which the licensee permits an individual to hunt game birds for a fee.
3. Licenses for game farms on which the licensee sells game animals, the gross revenue from which is $10,000 or more in the preceding license year.

Under current law, state agencies, including DNR, must release certain information to a third party upon that party's request. This bill changes this requirement as it applies to information about holders of fish and game licenses, stamps and other approvals (approval holders) as follows:

1. DNR may not release any information about approval holders who are under the age of 18 or about approval holders who request that DNR not release any such information.
2. DNR may, at its discretion, release the names and addresses of, and demographic information about, all other approval holders and may produce and sell lists of the names, addresses and demographic information.
3. DNR may not release telephone numbers or driver's license numbers of approval holders, or approval numbers or identification numbers given to approval holders by DNR, under any circumstances.

Under current law, DNR may issue bonus deer hunting permits to state residents and nonresidents who hold deer hunting licenses in order to control the state's deer population. This permit allows the holder to kill an additional deer. Under current law, most applicants must pay a fee for this permit. Also under

current law, DNR or its agents collect an issuing fee for most fish and game licenses. This bill requires that if a person must pay a fee for a bonus deer hunting permit, he or she must also pay an issuing fee.

Under current law, DNR appoints agents to issue fish and game approvals. DNR may charge a handling fee to cover the costs incurred by DNR in issuing these approvals by mail, telephone or electronic means. Under this bill, DNR may authorize any of its agents to collect and retain this handling fee.

This bill requires that DNR establish a system to allow a hunter to reserve the same deer hunting back tag number each year upon payment of a reservation fee. DNR may limit the number of back tag numbers that may be reserved.

This bill grants DNR specific authority to promulgate rules to regulate wildlife rehabilitators. The rules may include a system for issuing rehabilitator licenses or permits.

Under current law, if DNR and the Lac du Flambeau band of the Lake Superior Chippewa (band) have in effect an agreement under which the band agrees to limit its treaty–based, off–reservation rights to fish, the band may elect to issue DNR fishing licenses and DNR inland waters trout stamps as an agent of DNR and to retain the fees that the band collects for these licenses and stamps. Current law also authorizes DNR to pay the band an amount equal to the amount that DNR collects from its other agents who issue DNR fishing licenses and trout stamps on the reservation if the agreement is in effect. Under current law, these payments are made from the conservation fund.

This bill provides additional funding for these payments from moneys received by the state under Indian gaming compacts.

This bill provides funding to DNR for costs associated with the management of the state's elk population from moneys received by the state under Indian gaming compacts.

NAVIGABLE WATERS

Under current law, with certain exceptions, a riparian owner may not place a structure or deposit or conduct certain other activities in a navigable body of water without first obtaining a permit from or entering into a contract with DNR. For most structures, deposits or activities (riparian activities) that require a permit or contract, the procedure for obtaining the permit or contract requires that DNR provide notice to the public in a newspaper that is likely to give notice in the area where the riparian activity will be located and to the county and city, village or town (municipality) in which the riparian activity will be located. If DNR receives a written objection in response to the notice, it must hold a public hearing on the issue of whether it should approve the permit or contract. DNR may also use this notice and hearing procedure when it is not specifically required if DNR determines that

substantial interests of any party may be adversely affected by the granting of the permit or contract. For certain other riparian activities that require permits, current law does not require this notice and hearing procedure. These riparian activities include the placement of fish cribs, bird nesting platforms, gravel, riprap and bridges less than 35 feet wide and the enlargement of certain artificial waterways.

This bill changes these public notice and hearing procedures. These changes include the following:

1. The first notice issued by DNR must contain a preliminary decision of whether to grant the permit or the contract instead of stating that DNR will render a decision without a hearing unless a substantive written objection is received within 30 days. The preliminary decision becomes final if no such objection is received within 30 days.

2. If DNR receives such an objection, it must distribute a notice to certain interested parties. Also, for certain types of permits or contracts and wherever DNR determines that an environmental impact assessment is required, the applicant for the permit or contract must publish a notice containing the preliminary decision in an area newspaper.

3. If an objection is timely filed in response to these notices DNR must determine whether it is a substantive written objection and, if so, whether the riparian activity affects a public right or interest in navigable waters. If DNR determines the objection is substantive and that the riparian activity affects a public right or interest, DNR must offer the person making the objection the choice of a public hearing before an administrative law judge, an informal hearing before DNR staff, or a dispute resolution proceeding. If DNR determines that the objection is substantive but that the riparian activity does not affect a public right or interest, DNR must offer the choice between the informal hearing and the dispute resolution proceeding.

The riparian activities that are subject to these notice and hearing requirements under current law continue to be subject to the requirements under the bill. The bill also applies the requirements to the permits and contracts to remove material from beds of navigable waters.

Under current law, DNR must issue permits authorizing activities in navigable waters such as the placement of structures or deposits. For certain types of activities in navigable waters, DNR may issue a general permit that allows anyone to engage in a type of activity as opposed to an individual permit to a specific individual who wants to engage in the activity. Currently there are two programs under which DNR issues general permits. One applies throughout the state (regular program). The other program is a five–year project for the Wolf River and Fox River basin area, under which DNR issues general permits for any activity in navigable waters that requires a permit (pilot program). Under both programs, DNR issues a general permit if it determines that the environmental impact of the activity is insignificant and that the issuance of the permit will not cause pollution or injury to the rights of the public or riparian property owners.

This bill eliminates the pilot program and makes the following changes in the regular program:

1. DNR may issue a general permit for any activity that requires a specific permit or a contract. Under current law, DNR may issue general permits for only certain activities that require permits such as placement of fish cribs, bird nesting platforms, gravel and riprap and the enlargement of certain waterways.

2. A time limit of five years is imposed on any general permit. There are no time limits under the current two programs.

3. A person is allowed to maintain a structure or deposit or continue an activity under the authority of a general permit after the general permit is no longer in effect unless DNR determines that the structure, deposit or activity is detrimental to a public right or interest in navigable waters.

4. Only municipalities, public inland lake protection and rehabilitation districts, town sanitary districts and groups of ten or more riparian owners that would be affected by the issuance of a general permit may apply for a general permit. Under the current regular program, anyone may apply. Under the pilot program, these specific persons plus any contractor who has been involved in placing structures along navigable waters and certain local entities such as certain lake associations and nonprofit conservation organizations may apply.

5. Public notice must be given and in certain cases, a public hearing must be held before DNR may issue a general permit for any activity. Under the pilot program, notice and hearing are required only if they are required before DNR issues an individual permit for the activity in question. Under the regular program there are no notice or hearing requirements because the types of activities for which general permits are available have no notice and hearing requirements before DNR may issue the permit.

6. A person conducting an activity under a general permit must comply with any local ordinance that contains standards that are at least as restrictive as those contained in the general permit. Currently, the pilot program requires compliance with any applicable local ordinances.

7. The fee structure for general permits and for authorization to act under general permits is incorporated from the pilot program.

8. DNR may inspect projects or activities in navigable waters that are undertaken pursuant to permits issued or contracts entered into by DNR. Currently the pilot program has similar provisions.

Under current law, most boats must have certificates of number or of registration that are issued every two years for a fee by DNR. The fees are generally based on the size of the boat. This bill increases these fees by 50% and increases the period of certification and registration to three years.

Under current law, DNR awards grants for planning projects to provide information on the quality of water in lakes. DNR also awards grants for management projects that will improve or protect the quality of water in lakes or in their ecosystems.

This bill allows these grants to be used to provide information and education on the use of lakes and their ecosystems. Current law allows these grants to be used to provide information only on the water quality in lakes. The bill also specifically allows grant recipients to conduct assessments of lake uses and the uses of surrounding land.

This bill creates a new grant program for river protection activities for certain rivers. The program includes grants for both planning projects and management projects and is similar to the lake planning grant program and the lake management grant program. River protection management grants may be used to purchase land or conservation easements in order to protect or improve a river or its ecosystem, to restore in–stream or shoreline habitat and to install pollution control practices. DNR may award grants under the program for up to 75% of the cost of the project. The bill imposes a limit of $10,000 on each planning grant and a limit of $50,000 on each management grant. Cities, villages, towns, counties, special purpose districts, river management organizations that meet certain qualifications and nonprofit conservation organizations are eligible for these grants.

Under current law, no permit is required from DNR for highway and bridge work that is directed and supervised by the department of transportation (DOT) and that involves the placement of structures or the deposition of material in navigable waters of this state if the work is accomplished in accordance with interdepartmental liaison procedures established by DOT and DNR for minimizing the adverse environmental impact of the work.

This bill exempts any transportation project, including rail, harbor and airport projects, directed and supervised by DOT from having to obtain a permit from DNR to place structures or deposit material in navigable waters if the transportation project is accomplished in accordance with the interdepartmental liaison procedures. The bill also allows DOT, in connection with a transportation project, to construct, dredge or enlarge any artificial waterway connecting to a navigable water without obtaining a permit from DNR if the project is accomplished using the interdepartmental liaison procedures.

Under current law, DNR awards grants to municipalities and public inland lake protection and rehabilitation districts for the purposes of dam maintenance, repair, modification, abandonment and removal. This bill expands the purposes for which DNR may give financial assistance to include other activities that increase the safety of the dam if the activities cost less than maintaining, repairing, modifying or removing the dam. Currently, at least $250,000 of the $11,850,000 in grant assistance must be spent to remove dams that are less that 15 feet wide and that create impoundments of 50 acre–feet or less. This bill changes these size requirements to 15 feet in height and 100 surface acres.

This bill authorizes DNR to charge a fee for providing any information that DNR maintains in a format that may be accessed by computer concerning the waters of this state, including maps and other water resource management information.

RECREATION

Under current law, a minor who is under 12 years old may operate a snowmobile only if the minor is accompanied on the same snowmobile by an adult. A minor who is 12, 13, 14 or 15 years old may operate a snowmobile only if he or she holds a valid snowmobile safety certificate or if he or she is accompanied on the same snowmobile by a person who is over the age of 18 or by a person who is over the age of 14 and who has a valid snowmobile safety certificate. Snowmobile operators who are at least 16 years old are exempt from being accompanied and from holding a snowmobile safety certificate.

Under this bill, a person who is at least 12 years old and who is born on or after January 1, 1985, must have a valid snowmobile safety certificate to operate a snowmobile. This change goes into effect on January 1, 2001. The bill makes no changes to current law for minors under 12 years old.

Under current law, a person operating a snowmobile adjacent to a roadway or on certain roadways that are open to snowmobiles for access to lodging or residences must observe the roadway speed limits. This bill expands this requirement to cover all roadways upon which snowmobiles are operated.

Current law prohibits tampering with the odometer of a motor vehicle and with the hour meter of farm equipment. This bill prohibits any person from knowingly interfering with the proper operation of the odometer of a snowmobile or all–terrain vehicle and from operating a snowmobile or all–terrain vehicle with a malfunctioning odometer. The bill prohibits any person, with intent to defraud, from interfering with the proper operation of an hour meter on a snowmobile, all–terrain vehicle or boat.

This bill authorizes conservation wardens and other law enforcement officers to stop and inspect a snowmobile to determine whether required equipment is in good working order and to order out of operation a snowmobile found to be unsafe for operation or in violation of required equipment standards. Conservation wardens may issue a repair order to the owner or operator of the snowmobile in addition to or instead of any penalties that apply to violating the equipment standards. The bill also prohibits DNR and American Indian tribes and bands from registering snowmobiles that failed their most recent equipment inspection until repairs have been made.

Under current law, DNR administers a registration system for all–terrain vehicles, boats and snowmobiles. This bill authorizes DNR to appoint agents, who may be county clerks or other persons not employed by DNR, to issue all–terrain vehicle and snowmobile registration certificates and to renew certain all–terrain

vehicle and snowmobile certificates and all certificates of number and registration for boats. The bill also authorizes DNR to establish an expedited service for these renewals, which may be used by the agents or by DNR directly.

The bill establishes a fee of $3 for the issuance of these registration documents by DNR agents and requires that the agents remit $2 of each issuing fee to DNR. The bill authorizes DNR to establish a supplemental renewal fee for renewals done by agents or for the use of expedited services by persons who wish to renew the certificates immediately and in person.

Under current law, DNR provides supplemental aid for the maintenance and grooming of state and county snowmobile trails if the actual cost of maintenance or grooming exceeds the amount determined under the trail aids formula, which sets a maximum amount per mile of trail. Currently, this supplemental aid is funded by moneys transferred from the transportation fund to the conservation fund. The amount transferred annually equals 40% of the estimated amount of excise tax paid on gasoline by operators of snowmobiles registered in this state.

This bill provides additional funding for these supplemental trail aids from the fees charged by DNR for snowmobile trail use stickers, which are required on most snowmobiles that are operated in this state but not registered in this state.

This bill provides funding for snowmobile enforcement and safety activities from moneys received by the state under Indian gaming compacts.

OTHER NATURAL RESOURCES

This bill creates the natural resources land endowment fund, which is a nonlapsible trust fund consisting of gifts, grants and bequests made to the fund. Moneys in the fund may be used by DNR to preserve, develop, manage and maintain lands under the jurisdiction of DNR that are used for conservation or recreational purposes.

This bill authorizes DNR to pay rewards to individuals who provide information to DNR that leads to a finding by a court that a person has committed a violation of one of the statutes, administrative rules or ordinances enforced by DNR. The bill authorizes the natural resources board to evaluate reward claims and determine whether, and in what amount, a reward will be paid.

Under current law, DNR may acquire, develop and manage land for specific purposes such as state forests, state parks, state natural areas and hunting and shooting grounds. This bill authorizes DNR to designate, acquire, develop and manage land for the purpose of conserving the state's natural resources. DNR must designate such lands state natural resource areas. DNR may allow various resource management and recreational uses within the boundaries of the state natural resources areas.

Under current law, DNR administers four programs instructing persons in the safe use of snowmobiles, boats and all–terrain vehicles and in the safe use of firearms and bows for hunting. Each program has somewhat different provisions establishing or regulating the instruction fee charged for participation in the program and the portion of that fee that the instructor may keep to cover his or her expenses. This bill makes these provisions uniform. Under the bill, all of these fees are set by rule by DNR and the instructor may keep up to 50% of the fee. As under current law, the portion of the fees not kept by the instructors are remitted to DNR and are deposited in the conservation fund.

Under current law, the Minnesota–Wisconsin boundary area commission is a joint commission created by a compact entered into between Minnesota and Wisconsin. The commission addresses issues relating to land and water use along the boundary between the two states. This bill repeals the authorization for Wisconsin's representation on the commission and withdraws Wisconsin from the compact and the joint commission.

This bill annually transfers $2,000,000 in moneys received by the state under Indian gaming compacts to the conservation fund.

Under current law, DNR administers the stewardship program, under which funding is provided for various conservation purposes. This bill allows DNR to spend up to $500,000 from stewardship funds for the establishment and development of a state park that will provide access to Lake Michigan from the city of Milwaukee. Current law limits the use of some of the area to be included in the state park to only navigation and fishery purposes. This bill allows this area to also be used for public park purposes.

This bill appropriates federal moneys for the construction of pedestrian and bicycle facilities along Lake Michigan in the city of Milwaukee.

Currently, DNR's administrative rules establish water quality standards for wetlands. Activities that are carried out by DOT in connection with highway and bridge construction and maintenance are exempt from these rules if the activities comply with certain interdepartmental procedures established by DNR and DOT for minimizing the adverse environmental impact of the activities. This bill creates an additional exemption from these wetland water quality standards for activities that affect wetland areas if the wetland area that will be affected is less than 15 acres, the activity is in a city in Trempealeau County and the city adopts a resolution stating that the exemption is necessary to protect jobs or promote the creating of jobs in the city. The bill also prohibits DNR from reviewing and disapproving an amendment to a city or county shoreland or floodplain zoning ordinance if the amendment affects this exempt activity.

Currently, DNR requires that certain persons provide performance bonds or other surety when entering into a timber sale contract to cut or remove timber products from state forest lands. This bill appropriates to DNR all the money it receives from such a surety for any costs incurred to repair or otherwise remedy any damage caused by the person while performing under the contract.

Under current law, DNR awards grants for fire–fighting equipment to cities, villages, towns, counties and fire–fighting organizations. The grant recipient must agree to assist DNR in fighting forest fires when requested to do so by DNR. This bill eliminates the current sunset for the program of June 30, 1999.

OCCUPATIONAL REGULATION

This bill changes the fees that the department of regulation and licensing (DORL) charges for all initial and renewal credentials of the occupations and businesses that DORL regulates except for renewal credentials for aesthetics schools, barbering or cosmetology schools, cemetery authorities, cemetery preneed sellers, cemetery salespersons, charitable organizations, electrology instructors, electrology schools and manicuring schools.

This bill requires DORL to prepare proposed legislation that establishes a process for annually evaluating the necessity of at least 25% of the credentialing boards in DORL and eliminating those that are unnecessary. The proposed legislation must also establish four–year credentials instead of two–year credentials under current law.

This bill requires DORL to promulgate rules that establish additional fees that an applicant must pay if the applicant requests DORL to process an initial application for a credential or a renewal application on an expedited basis.

Under current law, DORL may, under certain circumstances, cancel a credential if the credential holder pays an initial or renewal credential fee with a check that is not paid by the bank upon which the check is drawn. This bill allows DORL to cancel a credential under the same circumstances for payment by a credit or debit card.

Under current law, a cemetery authority that sells or solicits the sale of ten or more cemetery lots or mausoleum spaces during one calendar year and who compensates any other person for selling or soliciting the sale of the cemetery lots or mausoleum spaces must register with DORL. Under this bill, such a registration is required if a cemetery authority sells ten or more cemetery lots or mausoleum spaces during one calendar year, regardless of whether compensation is paid. In addition, a cemetery authority that solicits a sale of ten or more lots or spaces, but does not sell ten or more lots or spaces, is not required to register. The bill also specifies that a cemetery authority must file a separate registration with DORL for

each cemetery at which it sells ten or more cemetery lots or mausoleum spaces in a calendar year.

Also under current law, an individual who sells or solicits the sale of ten or more cemetery lots or mausoleum spaces in a calendar year must register with DORL as a cemetery salesperson. This bill specifies that this registration requirement applies to any person, such as a business entity, in addition to an individual, that sells or solicits the sale of ten or more cemetery lots or mausoleum spaces in a calendar year.

Finally, under current law, a person that is registered as a cemetery salesperson is required to comply with certain other requirements, including requirements regarding trust accounts and disciplinary proceedings, that also apply to real estate salespersons licensed by DORL. Under this bill, a person that is registered as a cemetery salesperson is not required to comply with these other requirements.

Under current law, an employe of an audiologist or speech–language pathologist who assists the audiologist or speech–language pathologist is exempt from audiologist or speech–language pathologist licensure requirements. This bill expands this exemption to cover any individual, not just an employe, who provides assistance to an audiologist or speech–language pathologist.

RETIREMENT AND GROUP INSURANCE

Under current law, a participating employe in the Wisconsin retirement system (WRS) may purchase any creditable service that he or she may have forfeited in the past. To reestablish the creditable service, the participating employe must submit an application to the department of employe trust funds (DETF) for all of the creditable service that he or she forfeited and pay a lump sum that equals the employe's statutorily required contributions on his or her earnings for each year of creditable service.

This bill permits a participating employe to submit more than one application to purchase forfeited WRS creditable service and allows the participating employe to purchase all or part of the creditable service that he or she forfeited in the past.

Under current law, a participant in WRS may elect to receive a social security integrated annuity. A social security integrated annuity allows a participant to receive a higher WRS annuity before the age of 62 than he or she would ordinarily receive. When the participant begins to receive social security payments at the age of 62, the WRS annuity is reduced to an amount that is less than he or she would ordinarily receive. The amount of the accelerated WRS monthly annuity received by the participant before he or she attains the age of 62 equals the sum of the WRS monthly annuity and the social security monthly annuity received by the participant after he or she attains the age of 62. Under current law, however, if the participant dies before the age of 62, the death benefit is based on the reduced WRS benefit.

Under this bill, if the participant dies before the age of 62, the death benefit is computed as if the person died in the month in which the annuitant would have

attained age 62. Thus, the death benefit paid will include the higher WRS annuity of a participant who was receiving a social security integrated annuity.

Under current law, with certain exceptions, if a state employe terminates employment in a position that is covered under WRS and has attained the minimum age to begin receiving a retirement benefit, or if a state employe is laid off, the employe's accumulated unused sick leave may be converted to credits for the payment of health insurance premiums during the employe's retirement or period of layoff.

This bill provides that, for most state employes, the credits may be used only to purchase health insurance under a plan contracted or provided by the group insurance board. However, for judges and district attorneys who became state employes in 1978 and 1990, respectively, and who elected to keep their county health insurance coverage, the credits may also be used to purchase health insurance provided by a county.

In addition, the bill authorizes the secretary of employe trust funds to promulgate rules permitting all state employes to use the credits for the purchase of additional health insurance, but only if the use of the credits to purchase the insurance will not result in the credits being treated as income under the Internal Revenue Code.

Under current law, DETF may not credit interest to moneys paid in error to DETF or to moneys paid to DETF by participants or employers that exceed Internal Revenue Code limits on contributions to a qualified governmental plan, such as WRS. This bill provides that DETF may credit interest on these moneys at a rate established by rule.

In addition, under current law, in the event DETF makes certain annuity underpayments that are not corrected within 12 months, DETF must pay interest on the amount of the underpayment at a rate of 0.4% for each full month during which the underpayment occurred. This bill provides that DETF must pay interest on the amount of the underpayment at a rate established by rule and eliminates the requirement that the underpayment not have been corrected within 12 months.

STATE GOVERNMENT

District attorneys

Under current law, the state pays the salaries of and various benefits for district attorneys, deputy district attorneys and assistant district attorneys. This bill provides that two assistant district attorney positions (one each in Brown and Milwaukee counties) must be used exclusively to file and prosecute sexually violent person commitment petitions anywhere in this state.

State employment

Under current law, with certain exceptions, positions in state government may only be authorized by law, by the legislature in budget determinations, by the joint committee on finance (JCF) and by the governor for certain positions funded from

federal revenues. This bill authorizes the board of regents of the University of Wisconsin (UW) System to increase its authorized full–time equivalent positions that are funded, in whole or in part, with general purpose revenue by not more than 1% above the level authorized for the board. Under the bill, the board of regents must submit a proposal to the secretaries of administration and employment relations, together with its methodology for accounting for the cost of funding these positions. If the secretaries of administration and employment relations jointly approve the proposal, the positions are authorized.

Under current law, no individual, other than a state elective official, who is employed in a full–time position or capacity with any state agency or authority may hold any other position or be retained in any other capacity with any state agency or authority from which the individual receives more than $12,000 during the same year. This bill exempts any member of the faculty or academic staff, other than a state elective official, who has a full–time appointment at an institution within the UW System and who holds any other position or is retained in any other capacity by a different institution within the UW System from the $12,000 compensation restriction.

STATE FINANCE

Under current law, the state may issue revenue obligations for certain specified purposes. In general, a revenue obligation is an obligation that is: 1) incurred to purchase, acquire, lease, construct, improve, operate or manage a revenue–producing enterprise; and 2) repayable solely from, and secured solely by, the property or income from the revenue–producing enterprise. This bill allows revenue bonding in situations that are not allowed under current law. The bill creates two types of revenue obligations. The first type, called an enterprise obligation, includes all obligations authorized under current law but is broader in that it eliminates the requirement that the bond be repayable *solely* from, and be *solely* secured by, property or income from the revenue–producing enterprise.

The second type of revenue obligation, a special fund obligation, is an undertaking by the state to repay a certain amount of borrowed money that is payable from a special fund consisting of fees, penalties or excise taxes. The bill authorizes not more than $450,000,000 of this second type of revenue obligation bonding for the PECFA program. These revenue obligations are to be repaid from, and are secured by, the petroleum inspection fund. The bill expresses the legislature's expectation and aspiration that, if the legislature reduces the rate of the petroleum inspection fee and the fees in the fund prove insufficient to pay the principal and interest on the revenue obligations, the legislature will make an appropriation from the general fund sufficient to pay the principal and interest on the obligations.

Currently, the investment board may contract with outside investment advisers for the management of assets from any fund or trust under its control for investment in real estate, mortgages, equities, debt of foreign corporations and debt

of foreign governments. No more than 15% of the total assets of the fixed retirement investment trust or 15% of the total assets of the variable retirement investment trust may be covered by such contracts. This bill increases the cap from 15% to 25% of such funds.

Under current law, the investment board may establish a bonus compensation plan for the executive director and other employes of the board who are appointed in the unclassified service of the state. Under the plan, these employes may qualify for an annual bonus for meritorious performance, which is required to be distributed over a three–year period. Current law provides that the total amount of bonuses awarded for any fiscal year may not exceed a total of 10% of the total annualized salaries of all unclassified employes of the board. In addition, no bonus awarded to an individual employe for any fiscal year may exceed a total of 25% of the annual salary of the employe. In awarding bonus compensation for a given period, the board must consider the performance of funds similar to those for which it has managing authority and market indices for the same period.

This bill authorizes the investment board to create two different bonus compensation plans for two different groups of employes. The first plan provides bonus compensation for the executive director, internal auditor, unclassified employes appointed by the internal auditor and other unclassified employes of the board who are not investment professionals, as determined by the secretary of administration. This plan is identical to the bonus compensation plan under current law except that the total amount of bonuses awarded for any fiscal year may not exceed a total of 10% of the total annualized salaries of these employes as compared to all unclassified employes of the board.

The second plan provides bonus compensation for unclassified employes of the investment board who are investment professionals, as determined by the secretary of administration. The plan provides that the total amount of bonuses awarded for any fiscal year may not exceed a total of 25% of the total annualized salaries of these employes. In addition, the plan provides that no bonus awarded to an individual employe for any fiscal year may exceed a total of 50% of the annual salary of the employe. Under the plan, there is no requirement that the bonus compensation be paid out over a three–year period.

Under current law, the investment board must make all purchases of materials, supplies, equipment or services through the department of administration (DOA). DOA may delegate authority to the board and other state agencies to make purchases independently of DOA, but any agency to which DOA delegates purchasing authority must adhere to all statutory requirements that would apply if DOA made the purchases. In making purchases, DOA and the agencies to which DOA delegates purchasing authority are required, subject to numerous exceptions, to make purchases by solicitation of bids or competitive sealed proposals preceded by public notice, and to adhere to other requirements.

This bill permits the investment board to make all purchases independently of DOA, and excludes the investment board from certain requirements that DOA and

other executive branch agencies must adhere to in making purchases, including the requirement for solicitation of bids or proposals preceded by public notice. Under the bill, the board must, however, procure all stationery and printing from the lowest responsible bidder.

Under current law, the secretary of administration must limit the total amount of any temporary reallocations from segregated funds to the general fund at any one time during a fiscal year to an amount equal to 5% of the total appropriations of general purpose revenue, calculated by the secretary as of that time and for that fiscal year. This bill authorizes the secretary of administration to permit an additional 3% of the total appropriations of general purpose revenue to be used for temporary reallocations to the general fund but only if the reallocation is for a period not to exceed 30 days.

Currently, all state agencies, except the legislature and the courts, must submit biennial budget requests to DOA no later than September 15 of each even–numbered year. This bill directs those agencies to submit biennial budget requests to DOA before each budget period no later than the date prescribed by DOA.

Current statutes provide that "[n]o bill directly or indirectly affecting general purpose revenues ... may be enacted by the legislature if the bill would cause the estimated general fund balance on June 30 of any fiscal year ... to be an amount equal to less than one percent 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 ...."

This bill changes that provision, for fiscal years 2000–01 and thereafter, with respect to the percentage of the general fund balance as follows:

1. For fiscal year 2000–01, 1.1% of general purpose revenue (GPR) appropriations for that fiscal year.
2. For fiscal year 2001–02, 1.2% of GPR appropriations for that fiscal year.
3. For fiscal year 2002–03, 1.4% of GPR appropriations for that fiscal year.
4. For fiscal year 2003–04, 1.6% of GPR appropriations for that fiscal year.
5. For fiscal year 2004–05, 1.8% of GPR appropriations for that fiscal year.
6. For fiscal year 2005–06 and thereafter, 2% of GPR appropriations for that fiscal year.

Under current law, the board of commissioners of public lands (BCPL) is responsible for managing certain lands held in trust by the state. The proceeds from these lands are deposited in the common school fund, the normal school fund, the university fund and the agricultural college fund (collectively, the trust funds). Under current law, BCPL may deduct expenses necessarily incurred in caring for and selling the lands from moneys deposited in the trust funds. This bill provides that such expenses include soil surveys and soil mapping activities.

Under current law, BCPL may loan moneys from the trust funds to certain local units to government. Current law also provides that any such borrower, after March 15 and prior to August 1 of any year, may prepay any part of the loan without penalty. This bill provides that, if a borrower prepays the outstanding principal balance of the loan before the due date of the first instalment payment, BCPL may charge the borrower a fee to cover any administrative costs incurred by BCPL in originating and servicing the loan.

Under current law, the governor may not administer, and no board, commission or department may encumber or expend, any block grant moneys received from the federal government under any federal law enacted after August 31, 1995, unless the governor first notifies JCF in writing that the block grant has been received and allows JCF an opportunity to review and approve or disapprove its proposed expenditure. This bill exempts from JCF review and approval the expenditure of block grant moneys that are allocated for certain public assistance and local assistance programs.

PUBLIC UTILITY REGULATION

This bill requires the public service commission (PSC) to conduct a study on implementing retail consumer choice for all consumers of electricity in this state. The study must address the following: 1) the infrastructure, taxation and statutory changes that are necessary for implementing retail choice; 2) recommendations for regulating new market entrants; 3) transitional, stranded and public benefits costs; and 4) the development and use of renewable energy resources.

Under current law, certain persons may file complaints with the PSC that allege a violation of the statutory provisions regarding public utilities. In addition, the PSC may, on its own motion, initiate a proceeding to determine whether such a violation has occurred.

This bill prohibits a person from filing a complaint, or making any other filing in a proceeding before the PSC, unless there is a nonfrivolous basis for doing so and unless each of the following is satisfied: 1) the filing is reasonably supported by applicable law; 2) the allegations in the filing have evidentiary support or are likely to have such support after further investigation or discovery; 3) the filing is not intended to harass another party to the proceeding; and 4) the filing is not intended to create a needless increase in the cost of litigation.

Within 60 days after a complaint is filed, the PSC must determine whether the complaint violates the specified prohibitions. The bill also allows the PSC to determine at any time during a proceeding whether a person has made a filing that violates the prohibitions. If the PSC determines that there is a violation, the PSC must order the violator to pay the reasonable expenses that any other party to the proceeding incurred because of the filing. In addition, the PSC may directly assess a forfeiture of between $25 and $5,000 against the violator.

This bill allows the PSC to approve a tariff filed by an electric public utility that allows a firm customer of the utility (an industrial or commercial customer of the utility that receives firm service, which is retail electric service that is provided on a noninterruptible basis) to sell unused firm service to an interruptible customer of the utility, which is an industrial or commercial customer of the utility that receives retail electric service on an interruptible basis. The PSC may approve such a tariff if it determines that such sales contribute to energy conservation and load management that are designed to reduce the energy needs of firm customers. If a firm customer contracts with an interruptible customer for such a sale under a tariff approved under the bill, the public utility must replace the firm service that is sold by the firm customer with interruptible service, and provide firm service to the interruptible customer in an amount that is equal to 80% of the amount of firm service that was sold.

Under current law, the PSC may, under certain circumstances, obtain from any public utility any information necessary for the PSC to perform its duties and may order a public utility to produce certain records. Under this bill, the PSC may require a telecommunications utility to submit information only if the PSC reduces, to the extent practicable, any burden on the telecommunications utility that results from complying with the requirement. In addition, a telecommunications utility is not required to provide information to the PSC unless the PSC certifies that the information is necessary for the PSC to enforce a statutory requirement and that the information is not unnecessarily duplicative of information that is already in the PSC's possession.

Also under current law, the PSC is allowed to withhold from public inspection any information that aids a competitor of a public utility. Under this bill, the PSC is required to withhold such information from public inspection. Under the bill, the PSC is also required to withhold from public inspection any information that is designated as confidential by a public utility that may aid a competitor of the public utility.

Under current law, a tariff filed with the PSC in which a telecommunications utility offers either a new telecommunications service or promotional rates may not take effect until ten days after the tariff is filed. Under certain specified circumstances, the PSC may also suspend the effectiveness of such a tariff. This bill provides that such a tariff is effective on the date specified in the tariff, unless the PSC suspends the effectiveness of the tariff as allowed under current law.

OTHER STATE GOVERNMENT

State building program

This bill enumerates in the 1999–2001 state building program a full–scale aquaculture demonstration facility to be built at Ashland and to be operated by the board of regents of the UW System.

Wisconsin election campaign fund supplement

Currently, a candidate for legislative office at the general election or a special election may qualify to receive a grant from the Wisconsin election campaign fund to finance certain campaign expenses. The maximum amount of the grant that is available to such a candidate may be reduced if the balance in the legislative and special election campaign account does not contain sufficient money to provide all eligible candidates who apply and qualify for grants with the maximum grants to which the candidates are entitled. The amount of money in the legislative and special election campaign account and the other accounts of the Wisconsin election campaign fund depends in part upon the number of designations made to the fund by individuals filing income tax returns.

This bill transfers $750,000 in general purpose revenue into the legislative and special election campaign account in fiscal year 2000–01. The bill also directs the secretary of administration to submit proposed legislation relating to campaign finance reform and composition of the elections board to the cochairpersons of JCF no later than April 1, 1999.

State land information system

Currently, DOA may develop and maintain a geographic information system relating to land in this state. Currently, the land information board directs and supervises the state land information program. The board is abolished effective September 1, 2003. Prior to September 1, 2003, counties must transfer to the land information board a portion of the fees collected by registers of deeds for recording documents. Revenue from these fees supports the operation of the board and the remainder is used to provide grants to counties for land records modernization projects.

This bill directs the land information board to transfer a portion of this fee revenue, prior to September 1, 2003, to DOA for the purpose of developing and maintaining a computer–based Wisconsin land information system, without direction or supervision from the board. Under the bill, DOA continues to be responsible for the development and maintenance of the system on and after September 1, 2003, but the bill provides no specific funding for this purpose.

The bill also authorizes DOA to conduct soil surveys and soil mapping activities. Under the bill, DOA may assess any state agency any amount that it determines to be required to conduct the surveys and mapping activities. In addition, the bill permits DOA to contract with BCPL to conduct soil surveys and soil mapping activities on lands under the jurisdiction of BCPL.

State grants for local governmental planning

This bill permits DOA to award grants to counties, cities, villages, towns and regional planning commissions to finance the cost of planning activities, including contracting for planning consultant services, public planning sessions and other planning outreach and educational activities, or to purchase computerized planning data, planning software or the hardware required to utilize that data or software. The grants are funded by federal moneys provided to this state for

transportation–related planning activities. DOA must require any local governmental unit that receives a grant to finance at least 20% of the cost of the product or service to be funded by that grant from its own resources. All proposed expenditures to be made under any grant are subject to the written approval of the secretary of transportation.

National and community service board functions

Under current law, the national and community service board, attached to DOA, uses federal moneys and moneys that it receives from gifts, grants and bequests to assist persons who operate service programs that address unmet human, educational, environmental or public safety needs. Under this bill, the board is attached to the department of health and family services.

Currently, the national and community service board awards Wisconsin promise challenge grants to countywide consortia of public and private entities that provide resources to underserved youth. This program expires on January 1, 2000. The bill transfers administration of this program to DOA.

Penalty assessments

With certain exceptions, current law imposes a penalty assessment on any person who is ordered to pay a fine or forfeiture for violating a state law or a local ordinance. The penalty assessment is set at 23% of the total amount of the fines or forfeitures imposed for the violation. The moneys collected from penalty assessments are credited directly to various appropriation accounts based on a statutory formula and the appropriation accounts specify the purposes for which the moneys may be used. These purposes include: 1) training for local law enforcement officers and state correctional officers; 2) purchase of crime laboratory equipment; 3) matching federal funds provided for various law enforcement programs; 4) county–tribal law enforcement projects; 5) diversion of youth from gang activities; and 6) alcohol and other drug abuse prevention and treatment for minors.

This bill provides that, instead of being credited to specific appropriation accounts based on a statutory formula, all moneys collected from penalty assessments are credited to a single appropriation account in the office of justice assistance in DOA. Specified amounts of the moneys in this appropriation account are then transferred to other appropriation accounts to be used for the same purposes as under current law, except that under the bill no penalty assessment moneys are provided to fund county–tribal law enforcement projects. Under the bill, county–tribal law enforcement projects are funded using revenue that the state receives under Indian gaming compacts. The bill also allows penalty assessment moneys to be used for several new purposes, including information technology systems for DOC, automated justice information systems and reimbursement to counties for the costs of providing crime victim and witness services.

Resource recovery and recycling

This bill eliminates a requirement for DOA to maintain a clearinghouse of information regarding products made from recycled or recovered materials for

purchase by state agencies and authorities. The bill also repeals an appropriation to DOA from the recycling fund to finance DOA's recycling procurement specifications functions and administration of the recycled materials clearinghouse.

State master lease program

Currently, DOA may enter into a master lease for the lease of goods or the provision of services on behalf of one or more state agencies. This procedure may be used in lieu of direct procurement of goods or services and in some cases is used to finance the acquisition of goods by the state.

This bill permits DOA to use a master lease to obtain any property (real or personal) or services on behalf of a state agency, except that DOA may not use a master lease to obtain facilities for use or occupancy by the state or to obtain internal improvements (public works). The bill also permits DOA to use a master lease to obtain any property or services related to public safety functions on behalf of a local government.

Currently, DOA may undertake energy conservation construction projects. These projects are different from other state building projects in that they are undertaken outside the authorized state building program and are not subject to public notice and bidding requirements. Under such a project, the contractor guarantees energy savings to be realized by the state in a stated amount within a specified period, and, if the savings are not realized by the state within that period, the contractor need not be paid by the state for any difference between the amount guaranteed in the contract and the actual savings realized when the state pays for the construction project. Currently, the contractor must finance construction of any project at its own expense.

Under this bill, the state or the contractor may finance the cost of construction. If the state finances the cost of construction and the savings resulting from the construction within the period specified in the audit are less than the amount specified in the contract, the contractor must remit the difference to the state. The bill provides that, if a master lease is used to finance payments to be made to a contractor who is engaged in such a construction project, the payments under the lease may not be conditioned upon any payment required to be made by the contractor resulting from the contractor's guarantee.

Glass ceiling initiative

This bill creates a glass ceiling board, which is attached to DOA for administrative purposes, and directs the board to do all of the following:

1. Administer a Governor's Glass Ceiling Award Program to recognize annually Wisconsin businesses and organizations that advance or promote the advancement of women and minority group members to upper–level management positions.

2. Disseminate information to employers on glass ceiling issues and effective programs that have helped eliminate barriers to the promotion of women and minority group members to upper–level management positions.

3. Identify businesses and industries that provide exceptional opportunities for women and minority group members to advance to upper–level management

positions, and, whenever appropriate, promote the expansion of such businesses and industries in this state.

4. Actively promote the appointment of qualified women and minority group members to public and private governing bodies.

Ethics and lobbying law counsel

This bill permits the governor, upon request of the ethics board, to employ special counsel for the purpose of assisting the board in investigating or prosecuting an alleged violation of the lobbying regulation law or the code of ethics for state public officials and employes. The special counsel is paid from a sum sufficient appropriation for the compensation of special counsel. Currently, neither the governor nor the ethics board is authorized to employ special counsel for this purpose.

Cultural arts authorities

This bill directs the legislative reference bureau (LRB) to prepare a bill draft creating cultural arts authorities, based on instructions provided by DOA. The secretary of administration must submit the bill to the cochairpersons of JCF no later than April 1, 1999.

Sales of tobacco to minors

This bill requires the LRB to prepare legislation, based on final drafting instructions submitted by DOA no later than March 1, 1999, authorizing the development of a statewide protocol for licensing authorities and law enforcement agencies in conducting compliance surveys to determine the prevalence of illegal retail sales of tobacco products to underage persons. The bill requires the secretary of administration to submit the proposed legislation to the cochairpersons of JCF not later than April 1, 1999.

Transitional housing grants

Under current law, DOA may award grants that do not exceed $50,000 each to counties and municipalities, community action agencies and private, nonprofit organizations for the purpose of providing housing and associated support services to homeless families and individuals. This bill removes the dollar limit on the grants so that a grant of any size may be awarded.

Representation by department of justice

Currently, if requested to do so by the head of a state agency, the department of justice (DOJ) defends that agency or any state officer, employe or agent of that agency in a civil action brought against the agency or person for an act arising out of his or her official duties. In addition to receiving general program revenue, the attorney general is paid by state agencies for the legal services provided under contracts or understandings between DOJ and the other agencies.

This bill appropriates to DOJ any money that is received by DOJ as the result of a contract or understanding between DOJ and another state agency that is approved by JCF or as part of the biennial budget act. Any money collected by DOJ under a contract or understanding with a state agency that is not approved by JCF or as part of the biennial budget act is not directly appropriated to DOJ. In addition, the bill provides that a state agency may not be charged for legal services provided to that agency by DOJ if DOJ is not required by statute to provide legal services to that agency and if that agency does not have a contract or understanding with DOJ that is approved by JCF or as part of the biennial budget act.

State employe addresses and telephone numbers

Under current law, any person may inspect, copy or receive a copy of a public record unless the record is specifically exempted from access under state or federal law or authorized to be withheld from access under state law, or unless the custodian of the record demonstrates that the harm done to the public interest by providing access to the record outweighs the strong public interest in providing access.

This bill specifically authorizes the custodian of any record of a state governmental unit to withhold from access information contained in a record of the governmental unit pertaining to the home address or home telephone number of any employe of that governmental unit.

Expenditure authority of department of administration

Currently, general purpose revenue is appropriated to DOA in separate appropriations for general program operations and for the operation of the state prosecution system (compensation of district attorneys and their deputies and assistants). This bill consolidates those appropriations.

Currently, program revenue is appropriated to DOA in four separate appropriations for: 1) transportation services; 2) printing, mail distribution and record services; 3) financial services; and 4) other services, except building construction services, telecommunications and data processing services, information technology services and projects and Wisconsin land council services. The revenue is derived from moneys received from other state agencies. This bill consolidates those four appropriations.

Under the consolidations, revenue collected for one purpose may be used by DOA for a different purpose within the same appropriation account, subject to the intent of the governor, JCF and legislature, as specified in various budgetary documents.

Funding source for department of administration positions

Currently, with limited exceptions, no state agency for which full–time equivalent positions have been authorized may change the funding source of any position that was provided by the legislature, JCF or the governor at the time the position was authorized or at the time the funding source was last changed.

This bill permits DOA, during the period beginning on the day on which this bill becomes law and ending on June 30, 2001, or on the day before publication of the

2001–03 biennial budget act, whichever is later, to change the funding source of any position authorized for DOA to carry out its functions with respect to supervision and management, the land information board, risk management, facilities management, housing assistance or gaming regulation if the position is currently funded from program revenue and the funding for the position would remain funded from program revenue that is collected by DOA to carry out one of these functions. The bill provides that any such change in the funding source of a position remains in effect after the period specified in the bill unless changed in accordance with current procedures.

Arrangements between governor and state agencies

This bill permits the governor to enter into cooperative arrangements with state agencies under which the agencies provide assistance to the governor in carrying out his or her responsibilities. The bill also permits the governor to expend any moneys received from the agencies to carry out these arrangements. Currently, the governor is not expressly authorized to enter into such arrangements.

Legislative technology bureau services

This bill permits the director of the legislative technology services bureau, by lease agreement, to purchase and install computer networking equipment to serve facilities of state agencies that are located in the same building in which a legislative branch office is located or in an adjacent building, and to provide related maintenance and support services to such agencies. Currently, the bureau is authorized and directed to provide and coordinate information technology support and services to the legislative branch of state government only.

Consolidation of state vehicle fleet management functions

This bill directs DOA to submit for consideration of JCF during the fourth quarter of 1999, an implementation plan for consolidating the vehicle fleet management functions of the department of natural resources (DNR) with the corresponding functions of DOA. The bill also directs DOA to submit for consideration of JCF during the third quarter of 2000 an implementation plan for consolidating the vehicle fleet management functions of the department of transportation (DOT) and the UW–Madison with the corresponding functions of DOA. The bill permits JCF to approve or to modify and approve the plans. If JCF approves a plan, with or without modifications, DOA may implement that plan. If JCF does not approve any plan, DOA may not implement that plan.

TAXATION

INCOME TAXATION

This bill makes various changes in the structure of the individual income tax system. The bill modifies the calculation of adjusted gross income (AGI), prohibits new claims from being made under certain income tax credits, creates a personal

exemption, modifies the itemized deductions credit and modifies the sliding scale standard deduction and the tax rates and brackets.

Under current law, the standard income tax deduction has four different categories, each of which has a different deduction amount based on income. The maximum standard deduction amounts in each category phase out as income increases. This bill retains the same four categories and increases the maximum income at which the standard deduction reaches $0.

Under current law, the dollar amounts of the standard deduction and the dollar amounts of Wisconsin AGI are indexed for inflation for taxable years that begin after December 31, 1998. This bill suspends indexing for taxable year 2000.

Under current law, there are three income tax brackets for single individuals, certain fiduciaries, heads of households and married persons. This bill expands the number of brackets to four and lowers the rate of taxation in all four brackets in taxable year 2000. The bill also lowers the rate of taxation for taxable year 2001 and all taxable years thereafter for the first three brackets. The brackets remain the same for taxable year 2001 and are indexed for inflation in taxable years thereafter.

Under current law, the individual income tax brackets are indexed for inflation for taxable years beginning after December 31, 1998. This bill suspends indexing until taxable years beginning after December 31, 2001.

Under current law, after an individual calculates his or her gross tax liability, several tax credits may be calculated to reduce his or her gross tax liability. Some credits, like the earned income tax credit and the homestead tax credit, are refundable. Some credits, like the school property tax credit, the working families tax credit and the married persons credit, are nonrefundable. Generally, with a refundable credit, if the amount of the claim exceeds the taxpayer's tax liability, or if there is no tax due, the excess amount of the credit is paid to the claimant by a check from the state. With a nonrefundable credit, the amount of the credit is available only up to the amount of the taxpayer's tax liability.

Under this bill, for taxable years beginning after December 31, 1999, no new claims may be filed for the following nonrefundable tax credits: the school property tax credit, the working families tax credit, the dependent credit and the senior credit. In addition, the bill increases the married persons tax credit from a maximum credit of $385 to $440 in taxable year 2000 and from a maximum of $420 to $480 in taxable years beginning after December 31, 2000.

Under current law, the department of revenue (DOR) may not adjust the withholding tables to reflect the changes made to the tax rates or the changes in dollar amounts with respect to bracket indexing or with respect to standard deduction indexing for taxable years that begin before January 1, 2000. Under this bill, DOR must adjust the withholding tables to reflect the changes made to the tax rates and changes in dollar amounts with respect to bracket indexing that are made in this bill on July 1, 2000.

Under current law, for homestead tax claims filed in 1991 and thereafter, the threshold income is $8,000, the maximum property taxes that a claimant may use in calculating his or her credit are $1,450 and the maximum eligible income is $19,154. Under this bill, for claims filed in 2000 and thereafter, the maximum

eligible income is raised to $20,290. The threshold income and maximum property taxes remain the same as under current law.

The bill also modifies the nonrefundable itemized deductions credit. Under current law, the itemized deductions credit is calculated as 5% of the difference between the sum of certain amounts that are allowed as itemized deductions under the Internal Revenue Code (IRC) and the standard deduction. Under this bill, miscellaneous itemized deductions that are allowed as itemized deductions under the IRC are not allowed under the itemized deductions credit.

The bill creates a personal exemption for a taxpayer, the taxpayer's spouse and the taxpayer's dependents. The personal exemption is $600 for each of these persons in taxable year 2000 and $700 for each of these persons for taxable years that begin after December 31, 2000. An additional personal exemption exists for taxpayers who are at least 65 years old. This additional exemption is $200 for taxable year 2000 and $250 for taxable years that begin after December 31, 2000. The bill also eliminates the state's treatment of social security benefits, thus taxing the benefits at the rate used by the federal government, which is a higher rate.

Under current law, when computing corporate income taxes and franchise taxes, a formula is used to attribute a portion of a corporation's income to this state. The formula has three factors: a sales factor, a property factor and a payroll factor. The sales factor represents 50% of the formula and the property and payroll factors each represent 25% of the formula. When computing income taxes and franchise taxes for an insurance company, a formula with a premiums factor and a payroll factor is used to attribute a portion of an insurance company's income to this state.

Under this bill, beginning on January 1, 2000, the sales factor will be the only factor used to attribute a portion of a corporation's income to this state and the premiums factor will be the only factor used to attribute a portion of an insurance company's income to this state.

The bill also broadens the definition of sales as it relates to the sales factor used to apportion income for tax purposes. Receipts from the lease or rental of motor vehicles, rolling stock, aircraft and vessels used in this state are included in the sales factor. The sales factor also includes the royalties for the use of intangible property, the sales of intangible property and receipts from the performance of services.

Under current law, each separate corporation doing business in this state must file a tax return with DOR reporting its net income. Even separate corporations that are part of a unitary business, which is, generally, an affiliated group of corporations that operate as a unit and which is characterized by centralized management and decision making, are not required to file a combined tax return. Instead, a corporation doing business in this state that is part of a unitary business files a separate return.

This bill requires that an affiliated group of corporations that is part of a unitary business file a combined tax return with DOR. The bill creates a

presumption that all corporations that are part of an affiliated group are unitary and must file a combined return.

Under current law, an eligible claimant may recover a certain amount of property taxes paid through the refundable farmland preservation credit. One of the eligibility requirements for the farmland preservation credit is that the farmland to which the credit relates must be subject either to a farmland preservation agreement or to a county exclusive agricultural use zoning ordinance that requires the claimant to abide by certain soil and water conservation standards.

Currently, the credit is computed under a formula that is based on property taxes accrued on the claimant's farmland in the preceding calendar year, the claimant's household income and the agreement or zoning provisions that cover the farmland. This bill retains most of the current law's formula but, for taxable years beginning after December 31, 2000, the formula does not include any factor for a farmland preservation agreement or exclusive agricultural use zoning. *See* **AGRICULTURE**. For new claims that are filed for taxable years beginning after December 31, 2000, the maximum credit for which a claimant is eligible is reduced from current law levels and no new claims may be filed for a taxable year that begins after December 31, 2002.

The bill also creates a new, refundable farmland preservation acreage credit. This credit may be claimed by any person who is an eligible claimant under the farmland preservation credit. Under the acreage credit, a claimant who sells, donates or otherwise transfers the development rights to the claimant's farmland to a nonprofit entity, the state or a city, village, town or county may claim the credit. The bill defines development rights as a holder's nonpossessory interest in farmland that imposes a limitation or affirmative obligation, the purpose of which is to retain or protect natural, scenic or open space values of farmland, assuring the availability of farmland for agricultural, forest, wildlife habitat or open space use, protecting natural resources or maintaining or enhancing air or water quality.

A nonprofit entity may develop the farmland with the written consent of the owner of the property and of the department of agriculture, trade and consumer protection, but only in a way that retains or protects natural, scenic or open space values of the farmland. If a claimant sells, donates or otherwise transfers development rights to a political subdivision, the political subdivision may develop the farmland only in a way that is consistent with certain comprehensive planning requirements.

The acreage credit may only be claimed by the claimant who owns the farmland when the development rights are initially transferred. No new claims may be filed under the acreage credit for taxable years that begin after December 31, 2002.

Current law provides a tuition expenses subtraction, or deduction, from federal adjusted gross income of up to $3,000 per year per student for tuition to attend a university, college, technical college or other approved school that is located in this state or that is subject to the Minnesota–Wisconsin reciprocity agreement. The subtraction is phased out at certain income levels. Also under current law,

nonresidents and part–year residents of this state may claim a prorated amount of the subtraction. This bill clarifies that the proration applicable to nonresidents and part–year residents of this state applies at all times and not just when the taxpayer is subject to the phaseout provisions and also changes current law such that the limitation of the credit to a claimant's total wages, income and net earnings from a trade or business taxable by this state applies to all taxpayers.

Under federal law, the amounts claimed under the state tuition expenses subtraction may also be claimed as a federal itemized deduction if the expenses are job–related. Under this bill, amounts claimed as a deduction under the tuition expenses subtraction may not be used in calculating the itemized deductions credit.

Under current law, an individual income tax refund that is payable on the basis of a joint return must be issued jointly to the persons who filed the return. Under this bill, if DOR is sent a copy of a formerly married couple's divorce judgment and that judgment apportions any tax refund that may be due the former couple, DOR is required to send the refund check to the person to whom the tax refund is apportioned, or one check to each of the former spouses, according to the apportionment that is specified under the terms of the judgment.

Currently, Wisconsin statutes provide that alimony and supplemental unemployment compensation that are paid while an individual is not a resident of this state may not be claimed as deductions for Wisconsin income tax purposes. The U.S. Supreme Court has ruled that a similar New York law violates the privileges and immunities clause of the U.S. Constitution. This bill modifies the statutes to conform to the U.S. Supreme Court's decision in the New York case.

Currently, the department of commerce administers three types of development zone programs. Generally, after the department designates an area as one of the three types of development zones, a person or corporation that conducts or that intends to conduct economic activity in the designated zone is or may be certified by the department as eligible for certain tax credits.

The calculation of one of these credits is based in part on a claimant's hiring members of a targeted group, as defined in the IRC, who are certified under a 90–day requirement by the department and who are also subject to certification rules under the IRC. This bill eliminates the requirement that certification must occur within a 90–day period.

Under current law, the state imposes an income or franchise tax on a foreign corporation doing business in this state. However, a foreign corporation may engage in certain business–related activities in this state without becoming subject to the state income or franchise tax.

This bill allows a foreign corporation to store its tangible personal property in this state and transfer possession of its tangible personal property to a person in this state, without becoming subject to the state income or franchise tax, if the other

person uses the personal property for fabricating, processing, manufacturing or printing.

PROPERTY TAXATION

Under current law, DOR assesses the value of taxable property in a county or taxation district. A county or taxation district may appeal DOR's assessment of the property in the county or taxation district by filing an appeal with the tax appeals commission. If the tax appeals commission determines on appeal that DOR incorrectly assessed the taxable property in a county or taxation district, the tax appeals commission may redetermine the assessment. Under current law, the tax appeals commission is authorized to hear appeals of tax matters, at times and places designated by the commission, and tax matters that are small claims cases in which the amount in controversy is less than $2,500. The tax appeals commission may impose a $1,000 penalty on a taxpayer who pursues a frivolous appeal.

Under this bill, a county or taxation district may appeal DOR's assessment of the property of the county or taxation district by filing an appeal with DOR. DOR hears the appeal and, if DOR determines that the appealed assessment is incorrect, DOR redetermines the assessment. DOR's decision on appeal may be appealed to the tax appeals commission.

The bill authorizes the tax appeals commission to submit a case to summary proceedings (an alternative dispute resolution proceeding) if the amount in controversy is less than $100,000. The bill also increases the penalty for pursuing a frivolous appeal to $5,000 and provides that the commission may hold hearings only in the following places: Appleton, Eau Claire, LaCrosse, Madison, Milwaukee and Wausau.

Under current law, if a person does not pay the tax that is due on a parcel of real property before September 1, the county treasurer must issue a tax certificate to the county that relates to that property. The issuance of a tax certificate begins the redemption period during which the taxpayer may retain his or her property by paying the delinquent taxes. If the property is not redeemed during the redemption period, which is usually two years, the county may acquire the property by taking a tax deed or by other methods.

Under this bill, if a county does not, within two years after the expiration of the redemption period, take a tax deed for property that is subject to a tax certificate and that is contaminated by a hazardous substance, the county must, upon receiving a written request from the city, village or town within whose jurisdiction the property is located, acquire the property by taking a tax deed. The county may then either retain ownership of the property or transfer ownership of the property, without consideration, to the municipality.

Under current law, a taxation district transfers its tax roll to the county or counties in which the taxation district is located. The county accepts all delinquent property taxes from the taxation district and credits the taxation district for delinquent taxes in the next tax levy. The county attempts to collect the delinquent

property taxes by issuing a tax certificate. After the county issues a tax certificate, an owner of real property has two years to redeem the certificate by paying the delinquent taxes. If the taxes remain unpaid after two years, the county may record a tax deed on the property. However, a county may cancel the delinquent taxes if the property is contaminated by a hazardous substance and the property owner agrees to clean up, maintain and monitor the property. The taxation district that transferred the relevant tax roll receives a credit on its tax levy from the county even though the county has canceled the tax.

This bill requires a county that cancels delinquent taxes to charge back to the appropriate taxation district any or all of the amount of the canceled taxes and to include that amount in the county's next tax levy against the taxation district.

OTHER TAXATION

Under current law, computers are exempt from the general property tax paid by businesses. Also under current law, computers owned by telephone companies, which are ad valorem taxpayers, are exempt from the ad valorem tax. An ad valorem tax is a tax imposed on property or on an article of commerce in proportion to its value.

This bill exempts from ad valorem taxation computers owned by other ad valorem taxpayers, such as railroads, airlines, pipeline companies, conservation and regulation companies and municipal electric association projects.

The bill also creates a personal property tax exemption for fax machines, copiers, cash registers and automated teller machines.

Under current law, the sale of time–share property is subject to the real estate transfer fee. This bill exempts from real estate transfer fees conveyances of those time–share properties that give the owner the right to use or occupy the real property during at least four separate periods over at least four years. Under current law, some, but not all, conveyances that are exempt from the real estate transfer fee are also exempt from the requirement of filing a real estate transfer return. This bill exempts from the requirement of filing a real estate transfer return these conveyances of time–share property.

The furnishing of rooms or lodging through the sale of time–share properties that are exempted from the real estate transfer fee by this bill is currently subject to the sales tax only if the use of the rooms or lodging is not fixed at the time of sale as to the starting date or the lodging unit and is for less than one month. This bill subjects to the sales tax all sales of time–share properties that are for less than one month, whether or not they are exempted from the real estate transfer fee by this bill, and whether or not the use of the rooms or lodging is fixed at the time of the sale.

The bill also subjects to the sales tax those charges associated with time–share property that at the time of the charges would be subject to the sales tax.

Under current law, a county may adopt an ordinance to impose sales and use taxes upon county retailers. DOR collects the sales and use taxes imposed by counties. The state retains 1.5% of the sales and use taxes collected to cover the costs

incurred by the state to administer, enforce and collect the taxes. DOR distributes the remaining taxes collected to the respective counties. This bill increases from 1.5% to 1.75% the amount of taxes collected that are retained by the state.

This bill changes the tobacco products tax from an occupational tax to an excise tax. The change allows the state to tax certain sales of tobacco products sold on reservations by American Indians to persons who are not American Indians.

This bill permits DOR to enter into agreements with American Indian tribes to provide for the refunding of the tobacco products tax imposed on tobacco products sold on reservations to enrolled members of the tribe residing on the tribal reservation. In addition, DOR is required to refund 50% of the taxes collected with respect to sales on reservations or trust lands of an American Indian tribe to the tribal council of the tribe having jurisdiction over the reservation or trust land on which the sale is made. These two provisions parallel existing authority of DOR in regard to cigarette taxes.

The bill also reduces from 70% to 50% the percentage of cigarette tax revenue collected in sales on reservations or trust lands that must be refunded to American Indian tribes.

Under current law, any taxpayer may petition DOR to compromise delinquent income or franchise taxes, including any applicable costs, penalties and interest. Under this bill, DOR is authorized to compromise any taxes, interest, penalties and costs that are due this state and that have not yet been recorded as delinquent.

This bill changes the rate of the gross earnings tax that is levied on a car line company and the amount that a railroad company must withhold from rental payments made to a car line company. A car line company is any person, other than a railroad, engaged in the business of leasing or furnishing car line equipment to a railroad and car line equipment is any railroad car or other equipment used in railroad transportation under a rental agreement.

Under current law, delinquent sales and use tax returns are subject to a $10 late filing fee unless the return was not timely filed because of the death of the person required to file or because of reasonable cause, but not because of neglect. This bill changes the late filing fee to $30 for returns that are filed for periods beginning after September 30, 1999.

This bill removes the requirement that the recertification application for assessors and assessment personnel be notarized and that it be submitted at least 60 days before the expiration date of the current certificate. Under the bill, DOR may, for good cause, accept an application for renewal up to one year after the expiration of the current certificate if the applicant has complied with the current continuing education and other recertification requirements.

TRANSPORTATION

HIGHWAYS

Current law requires that any major highway project, unlike other construction projects undertaken by the department of transportation (DOT), receive the approval of the transportation projects commission (TPC) and the legislature before the project may be constructed. A major highway project is a project having a total cost of more than $5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes five miles or more in length to the highway; or improvement of an existing multilane divided highway to freeway standards. There are currently 75 enumerated major highway projects approved for construction. This bill adds one major highway project to the list of 75 enumerated projects already approved for construction.

Under current law, the building commission may issue revenue bonds in a principal amount of $1,348,058,900, of which $1,255,499,900 may be used for major highway projects and other transportation facilities and $92,559,000 may be used for fees and other expenses related to the revenue obligations.

This bill increases the level of revenue bonding for major highway projects and transportation administrative facilities by 14.3% to $1,435,165,900. The bill also authorizes the building commission to contract revenue obligations in any amount to pay fees and other expenses related to the revenue obligations.

This bill authorizes DOT to designate highways that have outstanding intrinsic value as scenic byways. The bill allows DOT to apply for federal designation of a scenic byway as a national scenic byway. Federal designation would make the scenic byway eligible for federal aid for scenic byways.

Under current law, outdoor advertising signs that are located along interstates and certain other highways and that advertise activities conducted on the property on which the signs are located (on–property signs) are subject to restrictions as to size, number and location. This bill prohibits the erection of on–property signs at locations that constitute traffic hazards and eliminates specific restrictions that apply solely to on–property signs located outside the incorporated area of a city or village. The bill specifies that on–property signs do not require permits issued by DOT.

DRIVERS AND MOTOR VEHICLES

Current law authorizes circuit courts and municipal courts to suspend or revoke a person's motor vehicle operating privilege for a variety of reasons, including failure to pay an amount ordered by the court for ordinance violations unrelated to operating a motor vehicle, such as failing to properly keep sidewalks clear of snow and ice. Suspensions and revocations for failure to pay generally continue until the person pays the amount owed. The suspension and revocation orders are forwarded

to DOT, which updates the person's driving record to reflect the suspension or revocation.

This bill requires DOT to develop a process, by rule, to charge courts a processing fee for each court order that suspends or revokes a person's operating privilege for failure to pay a forfeiture that was imposed for violating an ordinance unrelated to the violator's operation of a motor vehicle. The bill also allows courts to charge the violator a fee in an amount not more than the fee DOT charges the court for processing the order.

Current law requires DOT to redesign motor vehicle registration plates that are issued to certain specified vehicles, primarily automobiles and light–duty trucks, or that identify the registrant as a member of an authorized special group (such as U.S. military or veteran, physically disabled, University of Wisconsin campus or natural resources). DOT must begin issuing the newly designed plates beginning with registrations effective July 1, 2000, and must issue newly designed plates for every specified vehicle registered in this state by July 1, 2003. Vehicle registrants must pay $10 or $15, depending on the type of plate, for the newly designed plates.

This bill allows DOT until July 1, 2005, to complete the issuance of the newly designed plates. The bill also requires DOT to redesign these registration plates every six years, and to issue plates of the new design to replace plates that are six or more years old.

Under current law, if a person arrested for operating a motor vehicle while under the influence of an intoxicant (OWI) refuses to take a test to determine the amount of alcohol in his or her blood or breath, the law enforcement officer who requested the test takes possession of the person's license, prepares a notice of intent to revoke the person's operating privilege and gives a copy of the notice to the person, to the circuit court and to the district attorney. The notice informs the person of a number of items, including the right to request a court hearing to contest the revocation. The Wisconsin court of appeals, in *State v. Schoepp*, 204 Wis. 2d 266 (1996), held that a person who receives a notice of intent to revoke the person's operating privilege may utilize the full range of discovery procedures under state law, including the use of depositions and interrogatories.

This bill prohibits either party's use of discovery in these cases, except that if a hearing is requested, the person who refused to take the test has the right to receive a copy of any written or voice recorded statement of a witness before that witness testifies.

Currently, 31.29% of all moneys received by the state as driver improvement surcharges from persons convicted of OWI is used to pay for chemical testing and services provided by the state traffic patrol. The secretary of administration transfers the remaining driver improvement surcharge moneys to programs or purposes related to OWI, such as for the purchase of breath screening devices. Under this bill, the separate 31.29% payment is eliminated and the chemical testing and

services program is eligible for a funding transfer approved by the secretary of administration as are the other OWI–related programs.

Under current law, DOT may contract with third–party testers to conduct on–the–road tests for commercial motor vehicle drivers, abbreviated on–the–road tests for school bus drivers and special examinations for school bus drivers. This bill permits DOT to contract with third–party testers to conduct on–the–road tests for noncommercial motor vehicle drivers, except on–the–road tests for authorization to operate certain motorcycles.

This bill raises the fee for a driving skills test in a school bus or in a noncommercial motor vehicle from $10 to $15.

Current law requires DOT to issue a distinctive license document to any person who is under the legal drinking age when the license is issued. Under this bill, beginning on January 1, 2000, DOT must also issue a distinctive license document to any person who is under 18 years of age when the license is issued.

Under current law, no person may operate a school bus unless the person possesses an endorsement to operate school buses. A school bus endorsement is valid for the eight–year duration of the person's operator's license. This bill requires each school bus operator to pass an examination of his or her ability to safely operate a school bus at least once every 4 years.

1997 Wisconsin Act 84 made extensive changes to this state's laws regarding operating a motor vehicle with an operating privilege that is revoked or suspended (OAR or OWS). Most of those changes are scheduled to take effect on May 1, 2000, or sooner if DOT's computer system can accommodate the necessary changes.

This bill delays the effective date of 1997 Wisconsin Act 84 until May 1, 2001, or until DOT's computer system can accommodate the necessary changes, whichever occurs earlier. The bill specifies that DOT is not required to implement all of that act's changes simultaneously, but may establish different effective dates for those changes. The bill makes an OAR or OWS committed in another jurisdiction a minor traffic offense for purposes of determining whether the offending driver is a habitual traffic offender. Under the bill, all OAR and OWS will be treated as minor traffic offenses, without regard to where the offense was committed.

Currently, DOT is required to revoke the operating privilege of a person determined to be a habitual traffic offender. The revocation commences on the day on which DOT mails the person notice of the revocation or, if the person is already suspended or revoked, on the day on which the person is convicted and first considered a habitual traffic offender, or on the date on which the person surrendered his or her operator's license to begin the current revocation or suspension period.

This bill makes all revocations by DOT for habitual traffic offenders begin on the date DOT mails notice of the revocation.

Under current law, a highway authority may impose special weight limitations on highways that would likely be seriously damaged or destroyed if such limitations were not imposed. The weight limits are effective only if weight limit notice signs are properly posted. This bill requires the posting of advance weight limit notice signs, in addition to the weight limit notice signs, to allow motorists to avoid the weight–limited highway altogether.

Current law prohibits any person from driving upon a highway any motor vehicle that exceeds the maximum permissible gross vehicle weight or the maximum permissible weight per axle. Current law allows additional weight, beyond the weight limits ordinarily applicable, for certain trucks transporting exclusively milk from the point of production to the primary market and returning with dairy supplies and dairy products from such primary market to the farm. Only milk trucks having axle measurements of nine feet, one inch or greater qualify for the additional 2,000 pound axle weight. This bill extends the 2,000 pound weight limit to milk trucks having an actual axle distance of eight feet, six inches or more.

Under current law, DOT utilizes a telephone call–in procedure through which applicants may obtain certain single trip permits to operate vehicles that exceed the statutory size or weight limits. This bill requires DOT to implement a telephone call–in procedure through which applicants may obtain single trip, annual, consecutive month and multiple trip permits to operate vehicles that exceed the statutory size or weight limits, together with the designated route of travel. The bill also raises fees for certain single trip, annual, consecutive month and multiple trip permits issued by DOT by 10% beginning on January 1, 2000, and ending on June 30, 2003, after which time the fees revert to their current amounts.

This bill increases the fee for late payment of fees for registering a motor truck through DOT's automated telephone registration system from $5 to $10.

This bill eliminates the $5 fee charged to financial institutions for processing electronic applications for motor vehicle title and registration.

Under current law, a claimant must serve legal process upon the secretary of transportation to commence a legal action against a nonresident driver for damages arising from a motor vehicle accident in this state. The secretary of transportation collects a $15 fee from the claimant for each defendant in the action and forwards the legal process to the nonresident driver. This bill increases this service–of–process fee to $25.

TRANSPORTATION AIDS

Under current law, DOT provides state aid payments to local public bodies in urban areas served by mass transit systems to assist the local public bodies with the expenses of operating those systems. DOT makes state aid payments in amounts sufficient to ensure that the combination of state and federal aids contributed toward the operating expenses of an urban mass transit system equals the uniform percentage established by DOT for the class of mass transit system. The percentage varies for each of the three classes of mass transit systems but is uniform for all mass transit systems within a class. The three classes are: 1) mass transit systems serving urban areas having a population of less than 50,000; 2) mass transit systems serving urban areas having a population of more than 50,000 but having annual operating expenses of less than $20,000,000; and 3) mass transit systems having annual operating expenses of more than $20,000,000.

This bill modifies the classes of mass transit systems and revises the amount of state aids payable to local public bodies served by those systems. The bill creates two classes of mass transit systems: 1) those having operating expenses of more than $20,000,000 (Tier A); and 2) those having operating expenses of $20,000,000 or less (Tier B). Under the bill, the sum of state and federal aid provided to a local public body served by a Tier A mass transit system may not exceed 50% of the mass transit system's projected operating expenses. The sum of state and federal aid provided to a local public body served by a Tier B mass transit system may not exceed 65% of the mass transit system's projected operating expenses, except that the sum of aids provided to local public bodies served by certain Tier B mass transit systems may not exceed 60% for calendar years 2000 and 2001.

Current law requires a local public body that receives state aid under the urban mass transit operating assistance program to pay a local contribution towards the mass transit system's operating expenses in an amount equal to at least 20% of the amount of state aid received under the program. This local contribution does not apply to local public bodies served exclusively by a shared–ride taxicab system. This bill requires all recipients to pay at least 10% of the operating expenses, regardless of the amount of state aid received under the program, except that recipients served exclusively by a shared–ride taxicab system must pay at least 5% of the system's operating expenses.

Under current law, DOT makes general transportation aids payments to a county based on a share–of–costs formula, and to a municipality (city, village or town) based on the greater of a share–of–costs formula for municipalities or an aid rate per mile ($1,596 for 1998 and thereafter).

Beginning with general transportation aids payable for the year 2000, this bill increases the aid rate to $1,644 per mile and increases the maximum amount of aid that may be paid under the program from the current limit of $78,744,300 to $81,106,600 for counties, and from the current limit of $247,739,100 to $254,784,900 for municipalities. The bill also allows a portion of law enforcement costs to be considered in the share–of–costs formula, instead of as highway–related traffic

police costs. The bill allows DOT to establish different portions for different classes of counties or municipalities.

This bill provides that aid amounts payable to any single municipality or county under the general transportation aids program may not be reduced by more than 2% annually.

This bill requires each municipality to assess biennially the condition of roads under its jurisdiction and to report the results to DOT.

This bill provides that the amount of aid that DOT may award under the elderly and disabled transportation capital assistance program, which provides aid for specialized vehicles and facilities used to provide transportation services to elderly and disabled persons, may not exceed the percentage of estimated costs specified by DOT or the percentage of costs that are eligible for federal aid, whichever is less.

Under current law, DOT may contract up to $19,000,000 in public debt for the acquisition and improvement of rail property. This bill increases this authorized general obligation bonding limit from $19,000,000 to $23,500,000.

RAIL AND AID TRANSPORTATION

Under current law, DOT, local governmental bodies, local residents and railroad companies may petition the office of the commissioner of railroads (OCR) for a determination of whether a railroad crossing over a public highway protects and promotes public safety. OCR may order the railroad to install automatic warning signals or other suitable safety device at the railroad crossing.

This bill creates a railroad grade crossings committee to review every railroad grade crossing in this state to recommend crossings for improvements. The bill generally prohibits DOT from paying for improvements to railroad grade crossings ordered by OCR unless the committee first recommended improvements to the crossing.

Currently, under the freight railroad assistance program, DOT makes loans to cities, villages, towns and counties for acquiring freight railroad facilities, rehabilitating or constructing rail property improvements or improving freight railroad infrastructure. The loans are made at the legal rate of interest of 5%, unless DOT and the borrower agree to a different rate. This bill requires DOT to specify by rule a rate of interest applicable to such loans.

OTHER TRANSPORTATION

This bill increases the authorized general obligation bonding limit for grants awarded by DOT for harbor improvements from $15,000,000 to $18,000,000.

Under current law, participants under the Wisconsin retirement system (WRS) whose principal duties involve law enforcement, require frequent exposure to a high

degree of peril and require a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies members of the state patrol as protective occupation participants. Under WRS, the normal retirement age of a protective occupation participant is lower, and the percentage multiplier used to calculate retirement annuities is higher, than for other participants.

This bill specifically classifies the administrator of the division of state patrol as a protective occupation participant for the purposes of WRS, if the division administrator is certified as qualified to be employed as a law enforcement officer in this state. The bill also makes the administrator a member of the state traffic patrol (having the same powers and duties of other members) if the administrator is certified as a law enforcement officer in this state. As a member of the state traffic patrol, the administrator is entitled to receive full pay and other benefits during any period in which the administrator is unable to work because of an injury sustained while performing certain duties that entail a considerable risk of injury or danger.

Under current law, the state traffic patrol consists of not more than 385 traffic officers in the classified service. This bill increases the authorized number of state patrol officers from 385 to 400.

Under current law, the operator of an authorized emergency vehicle (such as a police and fire vehicle or an ambulance) is exempt from certain traffic regulations when responding to an emergency call or when in pursuit of a suspected violator of the law. This exemption applies only when the operator is driving with due regard under the circumstances for the safety of all persons and, in most circumstances, is giving visible and audible signals.

This bill makes snowmobiles operated on state lands by DNR's law enforcement employes and all–terrain vehicles and snowmobiles operated by conservation wardens, on or off state lands, authorized emergency vehicles.

This bill requires DOT to award a grant of $1,000,000 to the city of Superior for the construction of the Major Richard I. Bong Air Museum.

VETERANS AND MILITARY AFFAIRS

Under current law, in response to a war, insurrection, rebellion, riot or invasion, in the event of a public disaster resulting from a flood, conflagration or tornado, or upon application of certain public officials, the governor may order into active service all or any portion of the national guard. This bill allows the governor to order all or any portion of the national guard into active service when the governor considers that activation necessary for the protection of persons or property.

Under current law, to be eligible for veterans benefits, a veteran must meet certain criteria, including residency in this state and service on active duty under honorable conditions in the U.S. armed forces. The veteran may be eligible for benefits if he or she meets certain types of service requirements, such as service in

a war period or in specified conflicts or receipt of a specified service medal, or if he or she served on active duty for two consecutive years or the full period of his or her initial service obligation.

Under this bill, a veteran may also be eligible for benefits if he or she was a resident of this state for any consecutive five–year period after entry, reentry, enlistment or induction into service in the U.S. armed forces and before the date of his or her application for benefits or, if applicable, before the date of his or her death.

Currently, the department of veterans affairs (DVA) administers a mortgage loan program for veterans. Under the program, eligible veterans may obtain a mortgage loan for the purchase of a house or mobile home, construction of a home, home improvements, including construction of a garage, and certain refinancing related to a home purchase or construction. Under current law, the maximum loan amount for home improvements, including construction of a garage, is $15,000. This bill changes that maximum loan amount to $25,000.

Currently, DVA reimburses eligible nondisabled veterans for 50% of the tuition and fees incurred by the veteran while attending a postsecondary school as an undergraduate. This bill raises the reimbursement rate to 65% of the tuition and fees incurred by a nondisabled veteran.

Under current law, reimbursement is available under this program only for classes in an institution in the University of Wisconsin (UW) System or at a technical college or for classes attended by a veteran receiving a waiver of nonresident tuition under the Minnesota–Wisconsin student reciprocity agreement. Reimbursement is limited to tuition and fees paid for 120 part–time or full–time credits at an institution in the UW System, or for 60 part–time or full–time credits at a technical college, or an equivalent amount of credits at the institution at which the veteran is receiving a waiver of nonresident tuition. This bill allows the veteran to attend any institution of higher education, including technical colleges, but requires the veteran to enroll for at least 12 credits during the semester for which reimbursement is requested.

Under current law, an eligible veteran who is a resident of this state and who completes a correspondence course or a course as a part–time student from an institution of higher education may apply for reimbursement from DVA for a portion of the costs of the course if the course is related to the veteran's occupational, professional or employment objectives. Under current law, the maximum reimbursement that may be paid is 50% of the tuition and fees paid for the course. This bill increases the maximum reimbursement percentage from 50% to 65%.

Currently, DVA may borrow money from the veterans mortgage loan repayment fund and enter into transactions with the state investment board to obtain money to make loans to veterans under the veterans personal loan program. If DVA borrows money from the veterans mortgage loan repayment fund, DVA must pledge the loans made under the veterans personal loan program as collateral for that borrowed money.

Under this bill, DVA may borrow money from the veterans mortgage loan repayment fund to obtain money for the veterans personal loan program, but is not required to pledge the loans made under the personal loan program as collateral for the borrowed money. The bill provides that transactions with the state investment board may include the sale of veterans' loans.

This bill uses moneys received under the Indian gaming compacts to fund an American Indian services coordinator as a project position in DVA. The bill also uses moneys received under the Indian gaming compacts to award grants to the governing bodies of federally recognized American Indian tribes and bands for the creation of a model program that helps American Indians overcome barriers to the receipt of federal and state veterans benefits.

Under current law, the state may contract public debt for the purpose of making loans to veterans for the purchase or construction of housing, for home improvements and for refinancing any existing mortgage for the purchase or construction of a home or for home improvements. Currently, the state is authorized to contract public debt in an amount not to exceed $1,807,500,000. This bill increases this amount to $1,918,000,000.

Under current law, DVA operates the Wisconsin Veterans Museum in Madison. The museum contains the battle flags of Wisconsin armed forces units that served in the nation's wars and other relics and mementos of those wars. This bill provides that the mission of the Wisconsin Veterans Museum is to acknowledge, commemorate and affirm the role of Wisconsin veterans in the United States of America's military past by means of instructive exhibits and other educational programs.

Under current law, only a county with a population of 100,000 or more, a bank or trust company and the commandant of the Wisconsin Veterans Home at King may be a guardian of five or more unrelated wards at one time. The commandant may act as a guardian only of members of the Wisconsin Veterans Home at King and is not allowed to charge a fee for that service. This bill eliminates the commandant of the Wisconsin Veterans Home at King from among those who may act as guardian of five or more unrelated wards at one time.

Currently, the national guard, in the department of military affairs, operates the Badger Challenge program, which provides programs for high school aged disadvantaged youth to help them remain in and complete high school. This bill allows only youths who are members of families eligible to receive aid from the federal temporary assistance for needy families program to attend the Badger Challenge program. The bill removes state general purpose funding from the program and allows federal temporary assistance for needy families block grant

moneys received by the department of workforce development to be used to fund the operation of the Badger Challenge program.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to this bill.

Because this bill concerns a conveyance of a lake bed area, the department of natural resources, as required by law, will prepare a detailed report to be printed as an appendix to this bill.

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

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

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

SECTION 2. 13.45 (3) (a) of the statutes is amended to read:

13.45 **(3)** (a) For any day for which the legislator does not file a claim under s. 13.123 (1), any legislator appointed to serve on a legislative committee or a committee to which the legislator was appointed by either house or the officers thereof shall be reimbursed from the appropriations under ~~ss. 20.315 (1) (q) and~~ s.

20.765 (1) (a) or (b) for actual and necessary expenses incurred as a member of the committee.

SECTION 3. 13.48 (16) of the statutes is amended to read:

13.48 **(16)** MADISON DOWNTOWN STATE OFFICE FACILITIES. ~~The~~ Except as provided in s. 32.02 (16) the eminent domain authority of the building commission under ch. 32 is limited to the acquisition of such parcels of land as it deems necessary for a site for Madison downtown state office facilities, whenever the building commission is unable to agree with the owner upon the compensation therefor, or whenever the absence or legal incapacity of such owner, or other cause prevents or unreasonably delays such agreement.

SECTION 4. 13.94 (1) (b) of the statutes is amended to read:

13.94 **(1)** (b) Audit the records of every state department, board, commission, independent agency or authority and the corporation described under s. 39.81 at least once each 5 years and audit the records of other departments as defined in sub. (4) when the state auditor deems it advisable or when he or she is so directed and, in conjunction therewith, reconcile the records of the department audited with those of the department of administration. Audits of the records of a county, city, village, town or school district may be performed only as provided in par. (m). Within 30 days after completion of any such audit, the bureau shall file with the chief clerk of each house of the legislature, the governor, the department of administration, the legislative reference bureau, the joint committee on finance, the legislative fiscal bureau and the department audited, a detailed report thereof, including its recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures. The chief clerks shall distribute the report

to the joint legislative audit committee, the appropriate standing committees of the legislature and the joint committee on legislative organization.

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 <u>and a family care district under s. 46.2895</u>; 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 <u>family care districts under s. 46.2895,</u> 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 7. 13.96 (3) of the statutes is created to read:

13.96 **(3)** POWERS OF THE DIRECTOR. The director of the legislative technology services bureau may, by lease agreement, purchase and install computer networking equipment to serve facilities of state agencies, as defined in s. 20.001 (1), that are located in the same building in which a legislative branch office is located or in an adjacent building, and may provide related maintenance and support services to such agencies.

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 9. 14.11 (2) (a) 1. to 3. of the statutes are amended to read:

14.11 **(2)** (a) 1. To assist the attorney general in any action or proceeding~~;~~.

2. To act instead of the attorney general in any action or proceeding, if the attorney general is in any way interested adversely to the state~~;~~.

3. To defend any action instituted by the attorney general against any officer of the state~~;~~.

SECTION 10. 14.11 (2) (a) 5. of the statutes is created to read:

14.11 **(2)** (a) 5. Upon request of the ethics board, to assist the board in investigating or prosecuting an alleged violation of subch. III of ch. 13 or subch. III of ch. 19.

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

14.18 Assistance from state agencies. (1) In this section "state agency" has the meaning given under s. 20.001 (1).

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

SECTION 12. 14.82 of the statutes is repealed.

SECTION 13. 15.03 of the statutes is amended to read:

15.03 Attachment for limited purposes. Any division, office, commission, council or board attached under this section to a department or independent agency or a specified division thereof shall be a distinct unit of that department, independent agency or specified division. Any division, office, commission, council or board so attached shall exercise its powers, duties and functions prescribed by law, including rule making, licensing and regulation, and operational planning within the area of program responsibility of the division, office, commission, council or board, independently of the head of the department or independent agency, but budgeting, program coordination and related management functions shall be performed under the direction and supervision of the head of the department or independent agency, except that with respect to the office of the commissioner of railroads, all personnel and ~~biennial~~ budget requests by the office of the commissioner of railroads shall be processed ~~and properly forwarded by the public service commission without change except as requested and concurred in by the office of the commissioner of railroads~~ by the department of transportation.

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 (g) shall be appointed as provided in that section.

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 16. 15.07 (2) (L) of the statutes is created to read:

15.07 (2) (L) The chairperson of the glass ceiling board shall be designated annually by the governor.

SECTION 17. 15.07 (5) (i) of the statutes is repealed.

SECTION 18. 15.105 (1) of the statutes is amended to read:

15.105 **(1)** TAX APPEALS COMMISSION. There is created a tax appeals commission which is attached to the department of administration under s. 15.03. Members shall be appointed solely on the basis of fitness to perform the duties of their office, and shall be experienced in tax matters. The commission shall meet at the call of the chairperson or at the call of a majority of its members. The chairperson shall not serve on or under any committee of a political party. The commission shall include but not be limited to a ~~small claims~~ summary proceedings division.

SECTION 19. 15.105 (10) of the statutes is amended to read:

15.105 **(10)** BOARD ON AGING AND LONG–TERM CARE. There is created a board on aging and long–term care, attached to the department of administration under s. 15.03. The board shall consist of ~~7~~ 9 members appointed for staggered 5–year terms. Members shall have demonstrated a continuing interest in the problems of providing long–term care for the aged or disabled. ~~At least~~ 4 All members shall be public members with no interest in or affiliation with any nursing home. At least 5 members shall be persons aged 65 or older or persons with physical or developmental disabilities or their family members, guardians or other advocates.

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 26. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this paragraph does

not apply on and after the effective date of the last license transferred .... [revisor inserts date].

SECTION 27. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], 5 other members.

SECTION 28. 15.105 (26) of the statutes is created to read:

15.105 **(26)** GLASS CEILING BOARD. There is created a glass ceiling board which is attached to the department of administration under s. 15.03. The board shall consist of the following members:

(a) Two senators and 2 representatives to the assembly, chosen in the same manner that members of standing committees are chosen.

(b) Twenty–one other members appointed to serve for 3–year terms, selected in part from persons holding positions in the private sector and in part from persons holding positions in the public sector.

SECTION 29. 15.107 (16) (b) 13. of the statutes is amended to read:

15.107 **(16)** (b) 13. ~~Four~~ Five members of the public.

SECTION 30. 15.183 (2) of the statutes is amended to read:

15.183 **(2)** DIVISION OF SAVINGS ~~AND LOAN~~ INSTITUTIONS. There is created a division of savings ~~and loan~~ institutions. Prior to July 1, 2000, the division is attached to the department of financial institutions under s. 15.03. After June 30, 2000, the division is created in the department of financial institutions. The

administrator of the division shall be appointed outside the classified service by the secretary of financial institutions and shall serve at the pleasure of the secretary.

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 33. 15.197 (12) of the statutes is created to read:

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

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

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

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

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

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

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

(g) A representative of the American Academy of Pediatrics –– Wisconsin Chapter.

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

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

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 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 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.

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. and 9. shall be appointed by the governor to serve at the pleasure of the governor.

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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this section does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

SECTION 40. 15.675 of the statutes is renumbered 15.677 and amended to read:

15.677 Same; attached ~~board~~ council. (1) EDUCATIONAL APPROVAL ~~BOARD~~ COUNCIL. There is created an educational approval ~~board~~ council which is attached to the higher educational aids board under s. 15.03. The ~~board~~ council 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 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 43. 16.01 (2) (h) of the statutes is created to read:

16.01 **(2)** (h) Provide staffing and other support services to the glass ceiling board, and pay expenses required to operate the board.

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

SECTION 45. 16.17 of the statutes is created to read:

16.17 Glass ceiling initiative. (1) In this section:

(a) "Board" means the glass ceiling board.

(b) "Glass ceiling" means a formal or informal barrier to full participation of women and minority group members in the management of public and private sector employers.

(2) The board shall do all of the following:

(a) Administer an annual "Governor's Glass Ceiling Award Program" to recognize Wisconsin businesses and organizations that advance or promote the advancement of women and minority group members to upper–level management positions.

(b) Conduct outreach and provide other resources to disseminate information to employers on glass ceiling issues and effective programs that have helped eliminate barriers to promotion of women and minority group members to upper–level management positions.

(c) Identify businesses and industries that provide exceptional opportunities for women and minority group members to advance to upper–level management positions, and, whenever appropriate, promote the expansion of such businesses and industries in this state.

(d) Actively promote the appointment of qualified women and minority group members to public and private governing bodies.

SECTION 46. 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 47. 16.22 of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

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), 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 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~~ higher educational aids board under s. 39.51.

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 under s. ~~20.505 (9)~~ 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. If the secretary determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], the department shall operate an emergency weather warning system.

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.

SECTION 65. 16.385 (7) of the statutes is amended to read:

16.385 **(7)** INDIVIDUALS IN STATE PRISONS OR SECURED JUVENILE FACILITIES. No payment under sub. (6) may be made to a prisoner who is imprisoned in a state prison under s. 302.01 or to a person placed at 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 a secured group home, as defined in s. 938.02 (15p).

SECTION 66. 16.417 (2) (f) of the statutes is renumbered 16.417 (2) (f) (intro.) and amended to read:

16.417 **(2)** (f) (intro.) This subsection does not apply to ~~an~~ any of the following:

1. An individual other than an elective state official who has a full–time appointment for less than 12 months, during any period of time that is not included in the appointment.

SECTION 67. 16.417 (2) (f) 2. of the statutes is created to read:

16.417 **(2)** (f) 2. An individual who is a member of the faculty, as defined in s. 36.05 (8), or academic staff, as defined in s. 36.05 (1), other than an elective state official, who has a full–time appointment at an institution within the University of Wisconsin System and who holds any other position or is retained in any other capacity by a different institution within the University of Wisconsin System.

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

16.42 **(1)** (intro.) All agencies, other than the legislature and the courts, ~~no later than September 15 of each even–numbered year,~~ before each budget period no later than the date and 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 69. 16.50 (5m) of the statutes is amended to read:

16.50 **(5m)** UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5) do not apply to expenditures authorized under s. 20.285 (2) (i) ~~2.~~.

SECTION 70. 16.501 (title) of the statutes is amended to read:

16.501 (title) **Forward Wisconsin, Inc.; funds; report.**

SECTION 71. 16.501 (3) of the statutes is created to read:

16.501 **(3)** On or before September 1, 2000, and every September 1 thereafter, Forward Wisconsin, Inc., shall submit to the appropriate standing committees under s. 13.172 (3) a report stating the net jobs gain due to the funds provided to Forward Wisconsin, Inc., under s. 20.143 (1) (bm).

SECTION 72. 16.505 (1) (intro.) of the statutes is amended to read:

16.505 **(1)** (intro.) Except as provided in subs. (2), (2m) ~~and~~, (2n) and (4), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created or abolished unless authorized by one of the following:

SECTION 73. 16.505 (4) (b) of the statutes is amended to read:

16.505 **(4)** (b) Except as provided in ~~par.~~ pars. (c) and (d), no agency may change the funding source for a position authorized under this section unless the position is authorized to be created under a different funding source in accordance with this section.

SECTION 74. 16.505 (4) (b) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

16.505 **(4)** (b) Except as provided in ~~pars.~~ par. (c) ~~and (d)~~, no agency may change the funding source for a position authorized under this section unless the position is authorized to be created under a different funding source in accordance with this section.

SECTION 75. 16.505 (4) (d) of the statutes is created to read:

16.505 **(4)** (d) During the period beginning on the effective date of this paragraph .... [revisor inserts date], and ending on June 30, 2001, or on the date of publication of the 2001–03 biennial budget act, whichever is later, the department may change the funding source for any position that is funded in whole or in part from program revenues or program revenues–service under any paragraph specified in s. 20.505 (1), (2), (5), (7) or (8) to any other paragraph specified in s. 20.505 (1), (2), (5), (7) or (8) that is funded from program revenues or program revenues–service. Any change in the funding source for a position made under this paragraph remains in effect after the period specified in this paragraph unless changed in accordance

with this section. No later than the last day of the month following the completion of each calendar quarter, the secretary of administration shall report to the cochairpersons of the joint committee on finance concerning any positions for which the funding source has been changed under this paragraph during the preceding calendar quarter. The report shall include, for each position, the position type and the previous and current paragraph from which the position is funded.

SECTION 76. 16.52 (6) (a) of the statutes is amended to read:

16.52 **(6)** (a) Except as authorized in ~~s.~~ ss. 16.74 and 16.745, all purchase orders, contracts, or printing orders for any agency as defined in s. 16.70 (1) shall, before any liability is incurred thereon, be submitted to the secretary for his or her approval as to legality of purpose and sufficiency of appropriated and allotted funds therefor. In all cases the date of ~~the~~ a purchasing contract or order governs the fiscal year to which the contract or order is chargeable, unless the secretary determines that the purpose of the contract or order is to prevent lapsing of appropriations or to otherwise circumvent budgetary intent. ~~Upon~~ Whenever such approval is required, the secretary, upon granting approval, shall immediately encumber all contracts or orders, and indicate the fiscal year to which they are chargeable.

SECTION 77. 16.528 (3) (f) of the statutes is created to read:

16.528 **(3)** (f) The failure to pay timely due to an occurrence to which s. 893.83 applies.

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. <u>This subdivision does not apply to the expenditure of block grant funds that are allocated under s. 49.175.</u>

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 80. 16.62 (2) of the statutes is amended to read:

16.62 **(2)** The department may establish user charges for records storage and retrieval services, with any moneys collected to be credited to the appropriation account under s. 20.505 (1) (im) or ~~(kd)~~ (ka). Such charges shall be structured to encourage efficient utilization of the services.

SECTION 81. 16.62 (3) of the statutes is amended to read:

16.62 **(3)** The department may establish user fees for the services of the public records board. Any moneys collected shall be credited to the appropriation account under s. 20.505 (1) ~~(kd)~~ (ka).

SECTION 82. 16.71 (1) of the statutes is amended to read:

16.71 **(1)** Except as otherwise required under this section or as authorized in ~~s.~~ ss. 16.74 and 16.745, the department shall purchase and may delegate to special designated agents the authority to purchase all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services and all other expense of a consumable nature for all agencies. In making any delegation, the department shall require the agent to adhere to all

requirements imposed upon the department in making purchases under this subchapter. All materials, services and other things and expense furnished to any agency and interest paid under s. 16.528 shall be charged to the proper appropriation of the agency to which furnished.

SECTION 83. 16.72 (4) (a) of the statutes is amended to read:

16.72 **(4)** (a) Except as provided in ~~s.~~ ss. 16.74 and 16.745 or as otherwise provided in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any agency only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions and shall promulgate rules as to time and manner of submitting such requisitions for processing. No agency or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement. Purchases of supplies, materials, equipment or contractual services by the investment board or by the legislature, the courts or legislative service or judicial branch agencies do not require approval under this paragraph.

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

SECTION 85. 16.745 of the statutes is created to read:

16.745 Investment board purchasing. (1) The investment board may place requisitions and enter into contracts for the purchase of any materials, supplies, equipment or services required by the board. The investment board shall maintain copies of all purchasing requisitions and contracts, and shall permit inspection and copying of the requisitions and contracts under subch. II of ch. 19. No such requisition or contract need be filed with the department.

(2) The investment board shall file all bills and statements for purchases and engagements made by the board with the secretary, who shall audit and authorize payment of all lawful bills and statements. No bill or statement for any purchase or engagement for the investment board may be paid until the bill or statement is approved by the board.

(3) The department, upon request, shall make recommendations and furnish assistance to the investment board regarding purchasing procedure. The department, upon request, shall process requisitions for purchases submitted by the investment board and shall procure materials, supplies, equipment, property and services for the board in accordance with the purchasing procedure prescribed for executive branch agencies under this subchapter.

(4) All stationery and printing purchased by the investment board shall be procured from the lowest responsible bidder.

SECTION 86. 16.75 (1) (a) 2. of the statutes is amended to read:

16.75 **(1)** (a) 2. If a vendor is not a Wisconsin producer, distributor, supplier or retailer and the department determines that the state, foreign nation or subdivision thereof in which the vendor is domiciled grants a preference to vendors domiciled in that state, nation or subdivision in making governmental purchases, the department and any agency making purchases under s. 16.74 <u>or 16.745</u> shall give a preference over that vendor to Wisconsin producers, distributors, suppliers and retailers, if any, when awarding the order or contract. The department may enter into agreements with states, foreign nations and subdivisions thereof for the purpose of implementing this subdivision.

SECTION 87. 16.75 (3m) (b) of the statutes is amended to read:

16.75 **(3m)** (b) The department and any agency making purchases under s. 16.74 or 16.745 shall attempt to ensure that 5% of the total amount expended under this subchapter in each fiscal year is paid to minority businesses. Except as provided under sub. (7), the department may purchase materials, supplies, equipment and contractual services from any minority business submitting a qualified responsible competitive bid that is no more than 5% higher than the apparent low bid or competitive proposal that is no more than 5% higher than the most advantageous offer. In administering the preference for minority businesses established in this paragraph, the department and any agency making purchases under s. 16.74 or 16.745 shall maximize the use of minority businesses which are incorporated under ch. 180 or which have their principal place of business in this state.

SECTION 88. 16.75 (8) (a) 1. of the statutes is amended to read:

16.75 **(8)** (a) 1. The department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74 or 16.745 and each authority other than the University of Wisconsin Hospitals and Clinics Authority shall, to the extent practicable, make purchasing selections using specifications developed under s. 16.72 (2) (e) to maximize the purchase of materials utilizing recycled materials and recovered materials.

SECTION 89. 16.75 (9) of the statutes is amended to read:

16.75 **(9)** The department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74 or 16.745 and any authority other than the University of Wisconsin Hospitals and Clinics Authority shall, to the extent practicable, make purchasing selections using specifications prepared under s. 16.72 (2) (f).

SECTION 90. 16.752 (12) (a) of the statutes is amended to read:

16.752 **(12)** (a) Except as provided in pars. (c), (d), (h) ~~and~~, (i) and (j) and as authorized under sub. (13), agencies shall obtain materials, supplies, equipment and services on the list maintained by the board under sub. (2) (g).

SECTION 91. 16.752 (12) (j) of the statutes is created to read:

16.752 **(12)** (j) The secretary may, upon request of an agency, waive compliance with par. (a) with respect to any purchase to be made by or for that agency if the secretary determines that compliance with par. (a) would contravene competitive requirements under federal law or regulations applicable to that purchase.

SECTION 92. 16.76 (1) of the statutes is amended to read:

16.76 **(1)** All contracts for materials, supplies, equipment or contractual services to be provided to any agency shall run to the state of Wisconsin. Such contracts shall be signed by the secretary or an individual authorized by the secretary, except that contracts entered into by the investment board shall be signed by an individual authorized by the board and contracts entered into directly by the legislature, the courts or a legislative service or judicial branch agency shall be signed by an individual authorized under s. 16.74 (2) (b).

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 act on behalf of one or more agencies or municipalities. 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 or municipalities 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 94. 16.76 (4) (ar) of the statutes is created to read:

16.76 **(4)** (ar) Any master lease entered into by the department on behalf of a municipality under this subsection may be used only to obtain property or services related to public safety functions of the municipality. The department shall enter into an instalment sales contract with a municipality with respect to any property or services obtained by the municipality under a master lease. The municipality shall issue a general obligation promissory note to the department as security for any such property or services obtained or to be obtained.

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 101. 16.76 (4) (i) of the statutes is created to read:

16.76 **(4)** (i) A master lease may not provide that the right of the department or any other agency to obtain property or services under the lease depends on payments to be made by a municipality for property or services obtained by the municipality under the lease unless the obligation of the municipality to make those payments constitutes a general obligation.

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 103. 16.77 (1) of the statutes is amended to read:

16.77 **(1)** No bill or statement for work or labor performed under purchase orders or contracts issued by the secretary or the secretary's designated agents, and no bill or statement for supplies, materials, equipment or contractual services purchased for and delivered to any agency may be paid until the bill or statement is approved through a preaudit or postaudit process determined by the secretary. This subsection does not apply to purchases made <u>by the investment board or to purchases made</u> directly by the courts, the legislature or a legislative service or judicial branch agency under s. 16.74.

SECTION 104. 16.78 (1) of the statutes is amended to read:

16.78 **(1)** Every agency other than the board of regents of the university of Wisconsin system or an agency making purchases under s. 16.74 or 16.745 shall purchase all computer services from the division of information technology services in the department ~~of administration~~, unless the division grants written authorization to the agency to procure the services under s. 16.75 (1), to purchase the services from another agency or to provide the services to itself. The board of regents of the university of Wisconsin system may purchase computer services from the division of information technology services.

SECTION 105. 16.84 (14) of the statutes is amended to read:

16.84 **(14)** Provide interagency mail delivery service for agencies, as defined in s. 16.70 (1). The department may charge agencies for this service. Any moneys collected shall be credited to the appropriation account under s. 20.505 (1) ~~(kd)~~ (ka).

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 108. 16.952 of the statutes is created to read:

16.952 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, 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 shall require any local governmental unit that receives a grant under this section to finance at least 20% 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 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. (b). 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 need not be promulgated as rules under ch. 227.

SECTION 111. 16.966 (3) of the statutes is amended to read:

16.966 **(3)** The department <u>shall develop and maintain a computer–based Wisconsin land information system and</u> may develop and maintain <u>other</u> geographic information systems relating to land in this state for the use of governmental and nongovernmental units. <u>In conjunction with the land information system, the department may conduct soil surveys and soil mapping activities.</u>

SECTION 112. 16.966 (5) and (6) of the statutes are created to read:

16.966 **(5)** The department may assess any state agency for any amount that it determines to be required to conduct soil surveys and soil mapping activities. For this purpose, the department may assess state agencies on a premium basis and pay costs incurred on an actual basis. The department shall credit all moneys received from state agencies under this subsection to the appropriation account under s. 20.505 (1) (kt).

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

SECTION 113. 16.967 (3) (intro.) of the statutes is amended to read:

16.967 **(3)** BOARD DUTIES. (intro.) ~~The~~ Except as otherwise provided in s. 16.966 (3), the board shall direct and supervise the land information program and serve as the state clearinghouse for access to land information. In addition, the board shall:

SECTION 114. 16.967 (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). 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 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 (5) and contract with telecommunications providers to provide such access.

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 and family care district officers. (intro.) Officers of towns, town sanitary districts, villages, school districts ~~and~~, technical college districts and family care districts 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 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 obligations": 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 which 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 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) 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) (intro.) and amended to read:

18.561 **(9)** AUTHORIZING RESOLUTION. (intro.) 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~~ enterprise obligations, including ~~but not limited to~~ provisions as to:

SECTION 136. 18.56 (9) (a) to (j) of the statutes are renumbered 18.561 (9) (a) to (j).

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 obligation 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 142. 18.561 (9) (k) of the statutes is created to read:

18.561 **(9)** (k) Defeasance of the obligations.

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 under sub. (5) (e) 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 security 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 the obligations or the marketability of the obligations, including provisions as to:

(a) Employment of consultants.

(b) Records and accounts.

(c) Establishment of reserve or other funds.

(d) Issuance of additional obligations.

(e) Deposit of the proceeds of the sale of the obligations or revenues of the special fund in trust, including the appointment of depositories or trustees.

(f) Defeasance of the 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~~ 18.561 (9) (j) 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 under s. 18.562 (5) (e) 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 under s. 18.561 (9) (j) or 18.562 (5) (e), 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~~ 18.561 (9) (j) or 18.562 (5) (e) 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 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. Refunding bonds may be issued, subject to any contract rights vested in ~~holders~~ owners of bonds or notes being refinanced, to refinance more than one issue of bonds or notes notwithstanding that the bonds 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 may be public debt or building–corporation indebtedness. The principal amount of refunding bonds shall not exceed the sum of: the principal amount of the bonds or notes being refinanced; applicable redemption premiums; unpaid interest on the bonds or notes to the date of delivery or exchange of the refunding bonds; in the event the proceeds are to be deposited in trust as

provided in sub. (3), interest to accrue on the bonds 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 and the payment of the bonds 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, they may be exchanged privately for and in payment and discharge of any of the outstanding bonds or notes being refinanced. Refunding bonds may be exchanged for a like or greater principal amount of the bonds or notes being exchanged therefor except that the principal amount of the refunding bonds may exceed the principal amount of the bonds 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 or notes being refunded who elect to exchange need not pay accrued interest on the refunding bonds if and to the extent that interest is accrued and unpaid on the bonds or notes being refunded and to be surrendered. If any of the bonds 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, provide for notice of redemption to be given in the manner and at the times required by the proceedings authorizing the outstanding bonds or notes.

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, except that the maximum permissible term shall be 50 years from the date of original issue of the oldest note or bond 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~~ owner 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 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 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 161. 19.35 (1) (am) 2. c. of the statutes is amended to read:

19.35 **(1)** (am) 2. c. Endanger the security, including the security of the population or staff, of any state ~~correctional institution, as defined in s. 301.01 (4)~~ prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in

s. 938.02 (15g), secured group home, as defined in s. 938.02 (15p), mental health institute, as defined in s. 51.01 (12), or center for the developmentally disabled, as defined in s. 51.01 (3)~~, or the population or staff of any of these institutions, facilities or jails~~.

SECTION 162. 19.36 (10) of the statutes is created to read:

19.36 **(10)** HOME ADDRESSES AND TELEPHONE NUMBERS OF EMPLOYES. An authority may withhold from inspection and copying under s. 19.35 (1) (a) any information contained in a record of that authority pertaining to the home address or home telephone number of an employe of the authority.

SECTION 163. 19.37 (2) of the statutes is amended to read:

19.37 **(2)** COSTS, FEES AND DAMAGES. (a) Except as provided in this paragraph and s. 893.83, the court shall award reasonable attorney fees, damages of not less than $100, and other actual costs to the requester if the requester prevails in whole or in substantial part in any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (a). If the requester is a committed or incarcerated person, the requester is not entitled to any minimum amount of damages, but the court may award damages unless the action relates to a matter specified in s. 893.83. Costs and fees shall be paid by the authority affected or the unit of government of which it is a part, or by the unit of government by which the legal custodian under s. 19.33 is employed and may not become a personal liability of any public official.

(b) ~~In~~ Except as provided in s. 893.83, in any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (am), if the court finds that the authority acted in a wilful or intentional manner, the court shall award the

individual actual damages sustained by the individual as a consequence of the failure.

SECTION 164. 19.37 (3) of the statutes is amended to read:

19.37 **(3)** PUNITIVE DAMAGES. ~~If~~ Notwithstanding s. 893.83, if a court finds that an authority or legal custodian under s. 19.33 has arbitrarily and capriciously denied or delayed response to a request or charged excessive fees, the court may award punitive damages to the requester.

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	$ 550,580,700	$ 545,141,400
Revenues and Transfers		
Estimated Taxes	$ 10,120,303,500	$ 10,228,264,000
Transfers from the Computer Escrow Fund	64,000,000	–0–
Estimated Departmental Revenues	295,443,600	312,487,100
Total Available	$ 11,030,327,800	$ 11,085,892,500
Appropriations, Transfers and Reserves		
Gross Appropriations	$ 10,509,730,600	$ 10,948,161,200
Compensation Reserves	44,100,000	94,750,000
Less Estimated Lapses	(68,644,200)	(83,221,500)
Total Expenditures	$ 10,485,186,400	$ 10,959,689,700

	1999–00	2000–01
Balances		
Gross Balance	$ 545,141,400	$ 126,202,800
Less Required Statutory Balance	(105,538,300)	(121,472,000)
Net Balance, June 30	$ 439,603,100	$ 4,730,800

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	1999–00	2000–01
General Purpose Revenue	$ 10,509,730,600	$ 10,948,161,200
Federal Revenue	(4,797,850,200)	(4,913,435,500)
Program Revenue	4,234,723,100	4,339,899,300
Segregated Revenue	563,127,100	573,536,200
Program Revenue	(2,650,496,400)	(2,704,688,600)
State	1,903,725,700	1,953,747,800
Service	746,770,700	750,940,800
Segregated Revenue	(2,148,305,000)	(2,178,323,900)
State	1,938,799,400	1,966,921,400
Local	64,364,000	64,864,000
Service	145,141,600	146,538,500
GRAND TOTAL	$ 20,106,382,200	$ 20,744,609,200

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

LOTTERY FUND SUMMARY

	1999–2000	2000–01
Gross Revenue	$ 426,884,200	$ 435,170,900
Expenses		
Prizes	$ 245,177,100	$ 249,914,000
Administrative Expenses	62,077,800	65,004,600
	$ 307,254,900	$ 314,918,600
Net Proceeds	$ 119,629,300	$ 120,252,300
Total Available for Property Tax Relief		
Opening Balance	$ 8,222,600	$ 8,537,700
Net Proceeds	119,629,300	120,252,300
Interest Earnings	1,653,300	1,666,400
	$ 129,505,200	$ 130,456,400
Property Tax Relief	$ 120,967,500	$ 121,753,000

		1999–2000		2000–01
Gross Closing Balance	$	8,537,700	$	8,703,400
Reserve	$	(8,537,700)	$	(8,703,400)
Net Closing Balance		–0–		–0–

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	$	8,354,100
Agriculture, Trade and Consumer Protection		
Soil and water		3,575,000
Clean Water Fund		
Safe drinking water loan program		3,870,000
Educational Communications Board		
Educational communications facilities		(8,354,100)

Source and Purpose		Amount
Natural Resources		
Nonpoint source grants		14,400,000
Nonpoint source compliance		2,000,000
Transportation		
Harbor improvements		4,500,000
UW System		
Self–amortizing facilities		3,000,000
Veterans Affairs		
Self–amortizing mortgage loans		111,000,000
TOTAL General Obligation Bonds	$	142,345,000

REVENUE OBLIGATIONS

Commerce		
PECFA	$	450,000,000
Transportation		
Major highway projects		179,666,000
TOTAL Revenue Obligation Bonds	$	629,666,000
GRAND TOTAL Bonding Authority Modifications	$	772,011,000

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	90,100	216,700
20.190 State fair park board					
(1)	(c)	Housing facilities principal repayment, interest and rebates	GPR	874,000	870,500
(1)	(d)	Principal repayment and interest	GPR	55,800	140,200
20.225 Educational communications board					
(1)	(c)	Principal repayment and interest	GPR	1,020,600	824,800
20.245 Historical society					
(1)	(e)	Principal repayment, interest and rebates	GPR	22,300	33,800
(2)	(e)	Principal repayment and interest	GPR	751,100	703,900
(4)	(e)	Principal repayment and interest	GPR	–0–	–0–
(5)	(e)	Principal repayment and interest	GPR	506,300	498,400
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	1,109,400	1,062,100

STATUTE, AGENCY AND PURPOSE			SOURCE	1999–00	2000–01
20.275 Technology for educational achievement in Wisconsin board					
(1)	(er)	Principal, interest and rebates; public library boards	GPR	278,800	633,100
(1)	(es)	Principal, interest and rebates; school boards	GPR	2,942,300	4,711,600
20.285 University of Wisconsin System					
(1)	(d)	Principal repayment and interest	GPR	77,114,100	75,137,400
(1)	(db)	Self–amortizing facilities principal and interest	GPR	–0–	–0–
(1)	(fh)	State laboratory of hygiene; principal repayment and interest	GPR	–0–	–0–
20.320 Environmental improvement program					
(1)	(c)	Principal repayment and interest – clean water fund program	GPR	29,139,100	32,440,600
(2)	(c)	Principal repayment and interest – safe drinking water loan program	GPR	331,800	331,800
20.370 Natural resources, department of					
(7)	(aa)	Resource acquisition and development – principal repayment and interest	GPR	21,838,300	23,781,300
(7)	(ac)	Principal repayment and interest – recreational boating bonds	GPR	–0–	–0–
(7)	(ba)	Debt service – remedial action	GPR	1,801,200	2,475,300
(7)	(ca)	Principal repayment and interest – nonpoint source grants	GPR	2,259,500	2,528,300
(7)	(cb)	Principal repayment and interest – pollution abatement bonds	GPR	71,579,300	68,575,900

STATUTE, AGENCY AND PURPOSE			SOURCE	1999–00	2000–01
(7)	(cc)	Principal repayment and interest – combined sewer overflow; pollution abatement bonds	GPR	17,276,800	17,001,400
(7)	(cd)	Principal repayment and interest – municipal clean drinking water grants	GPR	1,510,800	1,509,500
(7)	(ce)	Principal repayment and interest – nonpoint source compliance	GPR	54,200	168,900
(7)	(ea)	Administrative facilities – principal repayment and interest	GPR	537,500	577,700
20.410 Corrections, department of					
(1)	(e)	Principal repayment and interest	GPR	46,187,300	48,666,800
(1)	(ec)	Prison industries principal; interest and rebates	GPR	–0–	–0–
(3)	(e)	Principal repayment and interest	GPR	3,425,900	3,411,400
20.435 Health and family services, department of					
(2)	(ee)	Principal repayment and interest	GPR	10,341,400	11,243,600
(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	2,792,200	2,855,400
20.485 Veterans affairs, department of					
(1)	(e)	Lease rental payments	GPR	–0–	–0–
(1)	(f)	Principal repayment and interest	GPR	1,433,200	1,445,100
(4)	(f)	Repayment of principal and interest	GPR	–0–	–0–

STATUTE, AGENCY AND PURPOSE			SOURCE	1999–00	2000–01
20.505 Administration, department of					
(5)	(c)	Principal repayment and interest; Black Point Estate	GPR	21,700	135,100
20.867 Building commission					
(1)	(a)	Principal repayment and interest; housing of state agencies	GPR	–0–	–0–
(1)	(b)	Principal repayment and interest; capitol and executive residence	GPR	9,762,900	9,336,500
(3)	(a)	Principal repayment and interest	GPR	19,004,700	28,520,500
(3)	(b)	Principal repayment and interest	GPR	–0–	–0–
(3)	(e)	Principal repayment, interest and rebates; parking ramp	GPR	–0–	–0–
TOTAL General Purpose Revenue Debt Service				$ 324,280,400	$ 340,027,700
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–

STATUTE, AGENCY AND PURPOSE	SOURCE	1999–00	2000–01
(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
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
20.867 Building commission			
(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–

STATUTE, AGENCY AND PURPOSE			SOURCE	1999–00	2000–01
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)	(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				$ 83,486,500	$ 89,205,600
GRAND TOTAL All Debt Service				$ 449,415,800	$ 477,688,600

SECTION 172. 20.005 (3) of the statutes 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	C	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	635,200	635,200
	(h)	Grain inspection and certification	PR	C	2,795,000	2,795,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(hm)	Ozone–depleting refrigerants and products regulation	PR	A	334,500	334,500
(i)	Sale of supplies	PR	A	32,000	32,000
(j)	Weights and measures inspection	PR	A	721,300	721,300
(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	489,400	489,400
(u)	Recyclable and nonrecyclable products regulation	SEG	A	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	9,219,100	9,219,100
PROGRAM REVENUE	13,083,400	13,083,400
FEDERAL	(2,942,200)	(2,942,200)
OTHER	(10,141,200)	(10,141,200)
SEGREGATED FUNDS	613,800	613,800
OTHER	(613,800)	(613,800)
TOTAL–ALL SOURCES	22,916,300	22,916,300

(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(d)	Principal repayment and interest	GPR	S	–0–	–0–
(g)	Related services	PR	A	2,122,500	2,122,500
(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	–0–	–0–
	Agricultural services	GPR	A	2,209,800	2,209,800
	NET APPROPRIATION			2,209,800	2,209,800
(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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(j)	Stray voltage program	PR	A	273,400	273,400
(ja)	Marketing services and materials	PR	C	302,000	302,000
(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	264,600	264,600
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(h) Pari–mutuel racing supplemental aid to Wisconsin livestock breeders assn.	PR	C	–0–	–0–
(i) Agricultural investment aids; gifts and grants	PR	C	–0–	–0–
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,024,600	1,024,600
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,024,600	1,024,600
(7) AGRICULTURAL RESOURCE MANAGEMENT				
(a) General program operations	GPR	A	1,755,200	1,776,800
(c) Soil and water resource management program	GPR	C	2,390,300	2,375,700
(d) Drainage board grants	GPR	A	750,000	750,000
(e) Agricultural chemical cleanup program; general fund	GPR	B	678,700	1,500,000
(f) Principal repayment and interest, soil and water	GPR	S	90,100	216,700
(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
(ha) Liming material research funds	PR	C	25,000	25,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(ja)	Plant protection	PR	C	114,600	127,600
(k)	Agricultural resource management services	PR–S	C	231,100	231,100
(km)	Animal waste management grants	PR–S	C	100,000	100,000
(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
(v)	Chemical and container disposal	SEG	A	560,400	560,400
(wm)	Agricultural chemical cleanup reimbursement	SEG	C	2,238,600	2,238,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			5,664,300	6,619,200
PROGRAM REVENUE			3,113,500	3,126,500
FEDERAL			(2,130,700)	(2,130,700)
OTHER			(651,700)	(664,700)
SERVICE			(331,100)	(331,100)
SEGREGATED FUNDS			11,014,300	11,028,000
OTHER			(11,014,300)	(11,028,000)
TOTAL–ALL SOURCES			19,792,100	20,773,700
(8) CENTRAL ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	4,197,600	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	2,019,900	1,519,900
(kL) Central services	PR–S	C	698,100	698,100
(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–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(kt)	Information technology development projects	PR–S	A	–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			4,197,600	4,162,600
	PROGRAM REVENUE			6,312,700	5,812,700
	FEDERAL			(498,200)	(498,200)
	OTHER			(704,900)	(704,900)
	SERVICE			(5,109,600)	(4,609,600)
	TOTAL–ALL SOURCES			10,510,300	9,975,300
	20.115 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			25,899,500	26,819,400
	PROGRAM REVENUE			26,088,600	25,601,600
	FEDERAL			(5,896,300)	(5,896,300)
	OTHER			(14,751,600)	(14,764,600)
	SERVICE			(5,440,700)	(4,940,700)
	SEGREGATED FUNDS			11,628,100	11,641,800
	OTHER			(11,628,100)	(11,641,800)
	TOTAL–ALL SOURCES			63,616,200	64,062,800

20.143 Commerce, department of

(1) ECONOMIC AND COMMUNITY DEVELOPMENT

(a)	General program operations	GPR	A	6,092,500	6,093,200
(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–
(c)	Wisconsin development fund; grants, loans and assistance	GPR	B	7,503,800	7,503,800

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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–
(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	706,500	706,500
(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	429,200	429,200
(fy)	Women's business incubator grant	GPR	B	–0–	–0–
(g)	Gifts, grants and proceeds	PR	C	606,800	606,800
(gc)	Business development assistance center	PR	C	–0–	–0–
(gm)	Wisconsin development fund, administration of grants and loans	PR	C	107,900	107,900
(h)	Economic development operations	PR	A	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(hm)	Certified capital companies	PR	C	–0–	–0–
(id)	Gaming economic diversification grants and loans; repayments	PR	C	–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	C	–0–	–0–
(im)	Minority business projects; repayments	PR	C	167,200	167,200
(in)	Business development initiative loan repayments	PR	C	60,000	60,000
(ir)	Rural economic development loan repayments	PR	C	70,100	70,100
(jc)	Physician and health care provider loan assistance prog. repay.; penalties	PR	C	–0–	–0–
(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	262,300	262,300

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	169,200	169,200
(kd)	Brownfields grant program; federal block grant transfer	PR–S	C	5,000,000	5,000,000
(kf)	American Indian economic development; technical assistance	PR–S	A	25,000	25,000
(kg)	American Indian economic development; liaison	PR–S	A	50,700	50,700
(kh)	American Indian economic development; liaison–grants	PR–S	A	25,000	25,000
(kj)	Gaming economic development grants and loans	PR–S	A	2,500,000	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
(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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(o)	Federal aid, individuals and organizations	PR–F	C	–0–	–0–
(qa)	Brownfields redevelopment activities; administration	SEG	A	268,800	268,800
(qm)	Brownfields grant program; environmental fund	SEG	A	5,000,000	5,000,000
(r)	Mining economic development grants and loans	SEG	C	–0–	–0–
(st)	Recycling market development board; operations	SEG	A	180,300	180,300
(t)	Forestry education grant program	SEG	C	100,000	100,000
(x)	Industrial building construction loan fund	SEG	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	16,264,100	16,264,800
PROGRAM REVENUE	49,126,700	52,126,700
FEDERAL	(35,693,800)	(35,693,800)
OTHER	(5,012,000)	(5,012,000)
SERVICE	(8,420,900)	(11,420,900)
SEGREGATED FUNDS	5,549,100	5,549,100
OTHER	(5,549,100)	(5,549,100)
TOTAL–ALL SOURCES	70,939,900	73,940,600

(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	16,105,800	16,183,400
(ka)	Interagency agreements	PR–S	C	101,100	101,100
(ks)	Data processing	PR–S	C	–0–	–0–
(L)	Fire dues distribution	PR	C	6,500,000	6,500,000
(La)	Fire prevention and fire dues administration	PR	A	622,900	622,900
(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–
(r)	Safety and buildings operations; petroleum inspection fund	SEG	A	6,998,200	6,998,200
(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	2,619,600	2,642,600

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	3,500,000	3,500,000
PROGRAM REVENUE	23,994,600	24,072,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
FEDERAL			(621,800)	(621,800)
OTHER			(23,271,700)	(23,349,300)
SERVICE			(101,100)	(101,100)
SEGREGATED FUNDS			103,749,500	103,772,500
OTHER			(103,749,500)	(103,772,500)
TOTAL–ALL SOURCES			131,244,100	131,344,700
(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–
(kc) Information technology development projects	PR–S	A	–0–	–0–
(kd) Administrative services	PR–S	A	3,352,300	3,368,400
(ke) Transfer of unappropriated balances	PR–S	C	–0–	–0–
(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)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
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			21,465,400	21,466,700
PROGRAM REVENUE			76,681,900	79,728,700
FEDERAL			(36,468,800)	(36,421,900)
OTHER			(28,295,700)	(28,373,300)
SERVICE			(11,917,400)	(14,933,500)
SEGREGATED FUNDS			109,298,600	109,321,600
OTHER			(109,298,600)	(109,321,600)
TOTAL–ALL SOURCES			207,445,900	210,517,000

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	11,699,900	11,599,500
(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			11,864,900	11,764,500
	OTHER			(11,864,900)	(11,764,500)
	SEGREGATED FUNDS			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			11,864,900	11,764,500
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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			13,594,100	13,536,800
FEDERAL			(–0–)	(–0–)
OTHER			(13,594,100)	(13,536,800)
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			13,594,100	13,536,800
20.145 Insurance, office of the commissioner of				
(1) SUPERVISION OF THE INSURANCE INDUSTRY				
(c) Grant for small employer health insurance purchasing pools	GPR	A	200,000	–0–
(g) General program operations	PR	A	10,976,300	10,963,400
(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	3,797,900	3,661,600
(m) Federal funds	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			200,000	–0–
PROGRAM REVENUE			14,774,200	14,625,000
FEDERAL			(–0–)	(–0–)
OTHER			(10,976,300)	(10,963,400)
SERVICE			(3,797,900)	(3,661,600)
TOTAL–ALL SOURCES			14,974,200	14,625,000
(2) PATIENTS COMPENSATION FUND				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(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				
GENERAL PURPOSE REVENUES			200,000	–0–
PROGRAM REVENUE			14,774,200	14,625,000
FEDERAL			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(10,976,300)	(10,963,400)
SERVICE			(3,797,900)	(3,661,600)
SEGREGATED FUNDS			69,650,100	69,324,700
OTHER			(69,650,100)	(69,324,700)
TOTAL–ALL SOURCES			84,624,300	83,949,700

20.155 Public service commission

(1) REGULATION OF PUBLIC UTILITIES

(g) Utility regulation	PR	A	12,569,100	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	B	6,300,000	6,000,000

(1) PROGRAM TOTALS

PROGRAM REVENUE	13,942,400	13,692,300
FEDERAL	(94,200)	(94,200)
OTHER	(13,848,200)	(13,598,100)
SEGREGATED FUNDS	6,300,000	6,000,000
OTHER	(6,300,000)	(6,000,000)
TOTAL–ALL SOURCES	20,242,400	19,692,300

(2) OFFICE OF THE COMMISSIONER OF RAILROADS

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(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			14,425,700	14,175,600
	FEDERAL			(94,200)	(94,200)
	OTHER			(14,331,500)	(14,081,400)
	SEGREGATED FUNDS			6,300,000	6,000,000
	OTHER			(6,300,000)	(6,000,000)
	TOTAL–ALL SOURCES			20,725,700	20,175,600
20.165	**Regulation and licensing, department of**				
(1)	PROFESSIONAL REGULATION				
(g)	General program operations	PR	A	9,434,900	9,461,400
(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	2,038,800	2,038,800
(k)	Technical assistance; state agencies	PR–S	C	–0–	–0–
(m)	Federal funds	PR–F	C	–0–	–0–
	20.165 DEPARTMENT TOTALS				
	PROGRAM REVENUE			11,653,800	11,680,300
	FEDERAL			(–0–)	(–0–)
	OTHER			(11,653,800)	(11,680,300)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			11,653,800	11,680,300

20.190 State fair park board

(1) STATE FAIR PARK

(c) Housing facilities principal repayment, interest and rebates	GPR	S	874,000	870,500
(d) Principal repayment and interest	GPR	S	55,800	140,200
(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	929,800	1,010,700
PROGRAM REVENUE	14,475,600	14,794,800
FEDERAL	(–0–)	(–0–)
OTHER	(14,475,600)	(14,794,800)
TOTAL–ALL SOURCES	15,405,400	15,805,500

Commerce
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	48,494,700	49,296,800
PROGRAM REVENUE	171,693,900	174,142,800
FEDERAL	(42,459,300)	(42,412,400)
OTHER	(108,078,600)	(108,194,600)
SERVICE	(21,156,000)	(23,535,800)
SEGREGATED FUNDS	196,876,800	196,288,100
FEDERAL	(–0–)	(–0–)
OTHER	(196,876,800)	(196,288,100)
SERVICE	(–0–)	(–0–)
LOCAL	(–0–)	(–0–)
TOTAL–ALL SOURCES	417,065,400	419,727,700

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
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	1,240,500	1,240,500
	(c)	Portraits of governors	GPR	A	–0–	–0–
	(d)	Challenge grant program	GPR	A	819,800	819,800
	(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–
	(kb)	Information technology development projects	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
20.215 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUES					2,537,300	2,537,400
PROGRAM REVENUE					670,300	670,300
FEDERAL					(625,100)	(625,100)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(20,000)	(20,000)
SERVICE			(25,200)	(25,200)
TOTAL–ALL SOURCES			3,207,600	3,207,700

20.218 Educational broadcasting corporation

(1) EDUCATIONAL BROADCASTING

(a) Initial costs	GPR	A	50,000	50,000
(b) Operational costs	GPR	A	–0–	–0–

20.218 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	50,000	50,000
TOTAL–ALL SOURCES	50,000	50,000

20.225 Educational communications board

(1) INSTRUCTIONAL TECHNOLOGY

(a) General program operations	GPR	A	3,880,400	3,881,100
(b) Energy costs	GPR	A	425,200	425,200
(c) Principal repayment and interest	GPR	S	1,020,600	824,800
(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–
(ka) Information technology development projects	PR–S	A	–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	471,800	471,800

20.225 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	7,217,700	7,023,200
PROGRAM REVENUE	7,397,000	7,399,400
FEDERAL	(471,800)	(471,800)
OTHER	(6,853,400)	(6,855,800)
SERVICE	(71,800)	(71,800)
TOTAL–ALL SOURCES	14,614,700	14,422,600

20.235 Higher educational aids board

(1) STUDENT SUPPORT ACTIVITIES

(b)	Tuition grants	GPR	B	19,478,500	20,647,200
(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	3,933,800	3,933,800
(fe)	Wisconsin higher education grants; University of Wisconsin system students	GPR	B	18,279,500	19,376,300

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(ff)	Wisconsin higher education grants; technical college students	GPR	B	12,454,600	13,201,900
(fg)	Minority undergraduate retention grants program	GPR	B	693,100	693,100
(fj)	Handicapped student grants	GPR	B	123,800	123,800
(fy)	Governor's 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	59,520,300	62,533,100
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	61,232,800	64,245,600

(2) ADMINISTRATION

(aa)	General program operations	GPR	A	726,100	726,100

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–
(ka)	Information technology development projects	PR–S	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	726,100	726,100
PROGRAM REVENUE	1,000	1,000
FEDERAL	(–0–)	(–0–)
OTHER	(1,000)	(1,000)
SERVICE	(–0–)	(–0–)
SEGREGATED FUNDS	110,200	110,200
OTHER	(110,200)	(110,200)
TOTAL–ALL SOURCES	837,300	837,300

(3) SCHOOL APPROVAL

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(g) Proprietary school programs	PR	A	360,700	362,700
(3) PROGRAM TOTALS				
PROGRAM REVENUE			360,700	362,700
OTHER			(360,700)	(362,700)
TOTAL–ALL SOURCES			360,700	362,700
20.235 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			60,246,400	63,259,200
PROGRAM REVENUE			2,074,200	2,076,200
FEDERAL			(532,700)	(532,700)
OTHER			(361,700)	(363,700)
SERVICE			(1,179,800)	(1,179,800)
SEGREGATED FUNDS			110,200	110,200
OTHER			(110,200)	(110,200)
TOTAL–ALL SOURCES			62,430,800	65,445,600

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
(b) Distribution of the history of Wisconsin	GPR	C	35,000	35,000
(e) Principal repayment, interest and rebates	GPR	S	22,300	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

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(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			4,200,100	4,211,600
	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			5,143,700	5,155,200
(2)	HISTORIC SITES				
(a)	General program operations	GPR	A	336,100	336,100
(bd)	Stonefield Village	GPR	A	198,800	198,800
(be)	Pendarvis and First Capitol	GPR	A	160,300	160,300
(bf)	Villa Louis	GPR	A	130,200	130,200
(bg)	Old Wade House	GPR	A	242,500	242,500
(bh)	Madeline Island	GPR	A	6,200	6,200
(bi)	Old World Wisconsin	GPR	A	635,000	635,000
(bj)	H. H. Bennett Studios	GPR	A	61,200	61,200
(c)	Energy costs	GPR	A	93,500	93,500
(e)	Principal repayment and interest	GPR	S	751,100	703,900
(g)	Admissions, sales and other receipts	PR	A	2,338,800	2,732,800
(h)	Gifts and grants	PR	C	58,000	58,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(j)	Self–amortizing facilities; principal repayment, interest and rebates	PR	S	155,400	243,600
(k)	Funds received from other state agencies	PR–S	C	–0–	–0–
(km)	Northern great lakes center	PR–S	A	170,100	170,100
(m)	General program operations; federal funds	PR–F	C	64,300	64,300
(r)	Endowment	SEG	C	182,100	182,100
(y)	Northern great lakes center; interpretive programming	SEG	A	33,700	33,700

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	2,614,900	2,567,700
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	5,617,300	6,052,300

(3) HISTORIC AND BURIAL SITES PRESERVATION

(a)	General program operations	GPR	A	1,170,700	1,170,700
(d)	Historical markers; state–funded markers and plaques	GPR	A	10,000	10,000
(dm)	Historic preservation	GPR	C	2,400	2,400
(g)	Admissions, sales and other receipts	PR	A	7,000	7,000
(gm)	Excavation and analysis; cataloged burial sites	PR	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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–
(r)	Endowment	SEG	C	–0–	–0–

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,183,100	1,183,100
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	1,925,900	1,925,900

(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–
(f)	Humanities grants	GPR	B	–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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(ka)	Information technology development projects	PR–S	A	–0–	–0–
(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–

(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	506,300	498,400
(g)	Admissions, sales and other receipts	PR	C	331,300	331,300
(h)	Gifts and grants	PR	C	22,200	22,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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	1,640,300	1,632,400
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	3,139,100	3,131,200

20.245 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	11,660,100	11,616,500
PROGRAM REVENUE	6,637,400	7,119,600
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	18,810,400	19,249,000

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
(d) Tobacco–related illnesses	GPR	A	500,000	500,000
(e) Principal repayment and interest	GPR	S	185,300	158,700

20.250 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	8,162,300	8,135,700
TOTAL–ALL SOURCES	8,162,300	8,135,700

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
	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	9,208,800	9,208,800
(c)	Energy costs	GPR	A	348,000	348,000
(d)	Principal repayment and interest	GPR	S	1,109,400	1,062,100
(dt)	Educational assessment program	GPR	A	394,100	417,400
(dw)	Pupil assessment	GPR	A	6,299,400	9,362,400
(fw)	Educational programming	GPR	A	–0–	–0–
(g)	Student activity therapy	PR	A	6,500	6,500
(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	9,997,000	9,997,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	1,280,000	1,279,900
(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
(kt)	Information technology development projects	PR–S	A	–0–	–0–
(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	28,884,700	31,919,300
PROGRAM REVENUE	38,705,800	38,766,300
FEDERAL	(19,417,700)	(19,417,700)
OTHER	(15,360,300)	(15,377,300)
SERVICE	(3,927,800)	(3,971,300)
TOTAL–ALL SOURCES	67,590,500	70,685,600

(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

(ac)	General equalization aids	GPR	S	3,756,268,300	3,938,224,200

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(b)	Aids for special education and school age parents programs	GPR	A	275,548,700	275,548,700
(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	2,316,300	2,316,300
(bi)	Additional aid for county handicapped children's education boards	GPR	A	–0–	–0–
(br)	Aid for special education transportation	GPR	A	–0–	–0–
(c)	Grants for smoking prevention programs	GPR	A	500,000	500,000
(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
(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	23,774,400
(cv)	Achievement guarantee contracts; supplement	GPR	A	4,739,000	4,739,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	500,000	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	7,003,500	7,003,500
(ec)	Aid to Milwaukee public schools; general purpose revenue	GPR	A	430,000	430,000
(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	1,000,000	1,000,000
(fL)	Grants for staff development	GPR	A	500,000	1,000,000
(fm)	Charter schools	GPR	S	5,850,000	12,420,000
(fu)	Milwaukee parental choice program	GPR	S	38,339,600	48,801,500
(k)	Funds transferred from other state agencies; local aids	PR–S	C	8,145,200	8,145,200
(kd)	Aid for alcohol and other drug abuse programs	PR–S	A	1,427,100	1,498,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(kh)	Head start supplement	PR–S	C	9,900,000	9,900,000
(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	7,570,000	7,570,000
(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	A	14,300,000	14,300,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	4,158,768,000	4,368,730,500
PROGRAM REVENUE	353,351,000	353,427,500
FEDERAL	(326,110,700)	(326,110,700)
SERVICE	(27,240,300)	(27,316,800)
SEGREGATED FUNDS	14,300,000	14,300,000
OTHER	(14,300,000)	(14,300,000)
TOTAL–ALL SOURCES	4,526,419,000	4,736,458,000

(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
(ea)	Library service contracts	GPR	A	973,700	973,700
(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

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(fz)	Minority group pupil scholarships	GPR	A	1,050,000	1,050,000
(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

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	15,623,500	15,686,000
PROGRAM REVENUE	39,861,400	39,407,900
FEDERAL	(39,861,400)	(39,407,900)
TOTAL–ALL SOURCES	55,484,900	55,093,900

20.255 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	4,203,276,200	4,416,335,800
PROGRAM REVENUE	431,918,200	431,601,700
FEDERAL	(385,389,800)	(384,936,300)
OTHER	(15,360,300)	(15,377,300)
SERVICE	(31,168,100)	(31,288,100)
SEGREGATED FUNDS	14,300,000	14,300,000
OTHER	(14,300,000)	(14,300,000)
TOTAL–ALL SOURCES	4,649,494,400	4,862,237,500

20.275 Technology for educational achievement in Wisconsin board

(1) EDUCATIONAL TECHNOLOGY

(a)	General program operations	GPR	A	676,100	676,100
(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	278,800	633,100
(es)	Principal, interest and rebates; general purpose revenue – school districts	GPR	S	2,942,300	4,711,600

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(et)	Educational technology training & technical assistance grants	GPR	B	4,500,000	4,500,000
(f)	Educational technology block grants	GPR	A	35,000,000	35,000,000
(g)	Gifts and grants	PR	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	2,942,300	4,711,600
(hb)	Principal, interest & rebates; program revenue – public library boards	PR	C	278,800	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	7,354,200	8,891,400
(t)	Telecommunications access; private and technical colleges and libraries	SEG	B	2,610,100	2,937,800
(tm)	Telecommunications access; private schools	SEG	B	976,700	1,651,300
(tr)	Institutional assistance support	SEG	B	67,200	9,100
(tu)	Telecommunications access; state schools	SEG	B	55,200	55,200

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
	(u)	Educational technology aid	SEG	A	5,000,000	5,000,000

20.275 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	43,397,200	45,870,800
PROGRAM REVENUE	3,362,100	5,494,800
FEDERAL	(–0–)	(–0–)
OTHER	(3,362,100)	(5,494,800)
SEGREGATED FUNDS	16,063,400	18,544,800
OTHER	(16,063,400)	(18,544,800)
TOTAL–ALL SOURCES	62,822,700	69,910,400

20.285 University of Wisconsin system

(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE

(a)	General program operations	GPR	A	752,001,000	760,400,200
(ab)	Student aid	GPR	A	1,315,300	1,315,300
(am)	Distinguished professorships	GPR	A	700,000	700,000
(as)	Industrial and economic development research	GPR	A	1,502,800	1,502,800
(b)	Area health education centers	GPR	A	804,300	804,300
(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	77,114,100	75,137,400
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(em)	Schools of business	GPR	A	1,425,500	1,425,500
(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
(ft)	Wisconsin humanities council	GPR	A	50,000	50,000
(fu)	Educational programming	GPR	A	–0–	–0–
(g)	Physical plant service departments	PR	C	–0–	–0–
(ga)	Surplus auxiliary funds	PR	C	–0–	–0–
(gr)	Center for urban land economics research	PR	A	175,000	175,000
(h)	Auxiliary enterprises	PR	C	375,826,000	388,027,300
(ha)	Stores	PR	C	8,700,400	8,700,400
(hm)	Extension outreach	PR	C	184,900	184,900
(i)	State laboratory of hygiene	PR	C	17,897,100	18,094,300
(ia)	State laboratory of hygiene, drivers	PR	C	872,700	677,700
(ih)	State laboratory of hygiene; principal repayment and interest	PR	S	–0–	–0–
(im)	Academic student fees	PR	C	441,150,200	450,375,500
(ip)	Extension student fees	PR	C	7,853,000	7,853,000

	Statute, Agency and Purpose		Source	Type	1999–00	2000–01
1	(iz)	General operations receipts	PR	C	77,317,300	77,868,300
2	(j)	Gifts and donations	PR	C	260,138,200	276,147,100
3	(ja)	Gifts; student loans	PR	C	3,398,600	3,398,600
4	(jm)	Distinguished professorships	PR	C	440,700	440,700
5	(jp)	License plate scholarship programs	PR	C	–0–	–0–
6	(k)	Funds transferred from other state				
7		agencies	PR–S	C	–0–	–0–
8	(ka)	Sale of real property	PR	C	–0–	–0–
9	(kb)	Great Lakes studies	PR–S	A	32,000	32,000
10	(kc)	Information technology				
11		development projects	PR–S	A	–0–	–0–
12	(kd)	Principal repayment, interest and				
13		rebates	PR–S	S	25,858,600	30,629,000
14	(ke)	Lease rental payments	PR–S	S	–0–	–0–
15	(km)	Aquaculture demonstration facility;				
16		principal repayment and interest	PR–S	A	–0–	–0–
17	(kn)	Aquaculture demonstration facility;				
18		operational costs	PR–S	A	–0–	–0–
19	(kp)	Student–related activities	PR–S	C	–0–	–0–
20	(Lm)	Laboratories	PR	A	4,405,400	4,405,400
21	(Ls)	Schools of business	PR	A	592,300	592,300
22	(m)	Federal aid	PR–F	C	336,412,400	336,412,400
23	(ma)	Federal aid; loans and grants	PR–F	C	188,996,600	188,996,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(n)	Federal indirect cost reimbursement	PR–F	C	74,846,800	74,846,800
(q)	Telecommunications services	SEG	A	864,000	864,000
(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	901,894,800	908,377,300
PROGRAM REVENUE	1,825,098,200	1,867,857,300
FEDERAL	(600,255,800)	(600,255,800)
OTHER	(1,198,951,800)	(1,236,940,500)
SERVICE	(25,890,600)	(30,661,000)
SEGREGATED FUNDS	23,340,300	25,123,400
OTHER	(23,340,300)	(25,123,400)
TOTAL–ALL SOURCES	2,750,333,300	2,801,358,000

(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
(ka)	Information technology development projects; system administration	PR–S	A	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			11,233,700	11,233,700
(4) MINORITY AND DISADVANTAGED PROGRAMS				
(a) Minority and disadvantaged programs	GPR	A	7,605,400	8,081,600
(b) Graduate student financial aid	GPR	A	4,065,500	4,065,500
(dd) Lawton minority undergraduate grants program	GPR	A	2,406,900	2,406,900
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			14,077,800	14,554,000
TOTAL–ALL SOURCES			14,077,800	14,554,000
(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				

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
(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				929,719,500	936,678,200
	PROGRAM REVENUE				1,892,232,400	1,935,814,000
	FEDERAL				(601,979,700)	(601,979,700)
	OTHER				(1,264,362,100)	(1,303,173,300)
	SERVICE				(25,890,600)	(30,661,000)
	SEGREGATED FUNDS				23,340,300	25,123,400
	OTHER				(23,340,300)	(25,123,400)
	TOTAL–ALL SOURCES				2,845,292,200	2,897,615,600

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–
(d)	State aid for technical colleges; statewide guide	GPR	A	113,530,000	113,530,000
(dc)	Incentive grants	GPR	C	7,888,100	7,888,100

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(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
(er)	Printing program	GPR	A	250,000	250,000
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(kb)	Interagency projects; state operations	PR–S	A	742,700	742,700
(kc)	Information technology development projects	PR–S	A	–0–	–0–
(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	131,612,300	131,612,400
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	167,299,000	167,300,500

Education
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	5,397,879,000	5,623,119,200
PROGRAM REVENUE	2,379,978,300	2,425,864,100
FEDERAL	(1,019,849,200)	(1,019,397,100)
OTHER	(1,295,970,900)	(1,337,418,400)
SERVICE	(64,158,200)	(69,048,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SEGREGATED FUNDS			54,326,800	58,591,300
FEDERAL			(–0–)	(–0–)
OTHER			(54,326,800)	(58,591,300)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			7,832,184,100	8,107,574,600

Environmental Resources

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	29,139,100	32,440,600
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(x) Clean water fund program financial assistance; federal	SEG–F	C	–0–	–0–
(y) Clean water fund program federal financial hardship assistance	SEG–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			29,139,100	32,440,600
SEGREGATED FUNDS			4,000,000	4,000,000
FEDERAL			(–0–)	(–0–)
OTHER			(4,000,000)	(4,000,000)
TOTAL–ALL SOURCES			33,139,100	36,440,600
(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
(c) Principal repayment and interest — safe drinking water loan program	GPR	S	331,800	331,800
(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			331,800	331,800
SEGREGATED FUNDS			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			331,800	331,800
(3) PRIVATE SEWAGE SYSTEM PROGRAM				
(q) Private sewage system loans	SEG	A	3,000,000	–0–
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			3,000,000	–0–
OTHER			(3,000,000)	(–0–)
TOTAL–ALL SOURCES			3,000,000	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
20.320 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			29,470,900	32,772,400
SEGREGATED FUNDS			7,000,000	4,000,000
FEDERAL			(–0–)	(–0–)
OTHER			(7,000,000)	(4,000,000)
TOTAL–ALL SOURCES			36,470,900	36,772,400

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–
(ka)	Information technology development projects	PR–S	A	–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–)
SERVICE	(–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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(eq)	Parks and forests – operation and maintenance	SEG	S	–0–	–0–
(er)	Parks and forests – recycling activities	SEG	A	–0–	–0–
(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	–0–	250,000
(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–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(jr)	Rental property and equipment — maintenance and replacement	SEG	C	–0–	–0–
(kq)	Taxes and assessments — conservation fund	SEG	A	300,000	300,000
(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
(ma)	General program operations — state funds	GPR	A	594,600	594,600
(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	429,000	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–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
1	Land program management	SEG	A	4,325,100	4,354,000
2	Wildlife management	SEG	A	8,327,800	8,352,800
3	Forestry	SEG	A	29,047,500	28,831,400
4	Southern forests	SEG	A	3,999,300	3,974,000
5	Parks and recreation	SEG	A	7,502,800	7,559,300
6	Facilities and lands	SEG	A	4,877,800	4,802,800
	NET APPROPRIATION			58,080,300	57,874,300
7	(my) General program operations —				
8	federal funds	SEG–F	C	–0–	–0–
9	Wildlife management	SEG–F	C	3,494,100	3,494,100
10	Forestry	SEG–F	C	372,400	372,400
11	Southern forests	SEG–F	C	123,700	123,700
12	Parks and recreation	SEG–F	C	581,100	581,100
13	Endangered resources	SEG–F	C	496,500	496,500
14	Facilities and lands	SEG–F	C	1,672,200	1,672,200
	NET APPROPRIATION			6,740,000	6,740,000
15	(mz) Forest fire emergencies — federal				
16	funds	SEG–F	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	6,318,800	6,318,800
PROGRAM REVENUE	872,800	1,122,800
OTHER	(443,800)	(443,800)
SERVICE	(429,000)	(679,000)
SEGREGATED FUNDS	67,740,800	67,530,800
FEDERAL	(6,740,000)	(6,740,000)
OTHER	(61,000,800)	(60,790,800)
TOTAL–ALL SOURCES	74,932,400	74,972,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(2) AIR AND WASTE				
(bg) Air management — stationary sources	PR	A	8,998,000	8,966,100
(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	726,600	726,600
(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
(fq)	Indemnification agreements	SEG	S	–0–	–0–

	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	3,981,400	3,901,400
(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	19,638,200	19,568,300
FEDERAL	(5,950,600)	(5,950,600)
OTHER	(13,587,600)	(13,517,700)
SERVICE	(100,000)	(100,000)
SEGREGATED FUNDS	12,352,300	11,672,300
FEDERAL	(1,328,100)	(1,328,100)
OTHER	(11,024,200)	(10,344,200)
TOTAL–ALL SOURCES	34,993,900	34,243,700

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	1,949,700	1,949,900
(as) Law enforcement — all–terrain vehicle enforcement	SEG	A	190,600	190,600
(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	14,558,500	14,600,700

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			24,212,100	24,386,900
FEDERAL			(5,261,200)	(5,261,200)
OTHER			(18,950,900)	(19,125,700)
TOTAL–ALL SOURCES			32,389,300	32,586,700
(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	1,832,500	1,869,500
(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	374,800	374,800
(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	3,330,000	3,341,100

	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			19,246,400	19,219,900
(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	13,088,300	13,088,300
(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	19,396,400	19,369,900
PROGRAM REVENUE	9,588,300	9,455,200
FEDERAL	(7,833,500)	(7,653,200)
OTHER	(1,280,700)	(1,327,900)
SERVICE	(474,100)	(474,100)
SEGREGATED FUNDS	27,009,900	27,055,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
FEDERAL			(3,926,300)	(3,926,300)
OTHER			(23,083,600)	(23,129,200)
TOTAL–ALL SOURCES			55,994,600	55,880,600
(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
(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
(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
(bt) Resource aids – county forest project loans	SEG	C	400,000	400,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	525,000	525,000
(cq)	Recreation aids – recreational boating and other projects	SEG	C	4,247,000	4,547,000
(cr)	Recreation aids – county snowmobile trail and area aids	SEG	C	2,001,400	2,001,400
(cs)	Recreation aids – snowmobile trail areas	SEG	C	3,704,500	3,762,900
(ct)	Recreation aids – all–terrain vehicle project aids; gas tax payment	SEG	C	570,700	579,700
(cu)	Recreation aids — all–terrain vehicle project aids	SEG	C	450,300	450,300
(cv)	Recreation aids — motorcycle recreation aids; trails	SEG	A	197,500	197,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(cw)	Recreation aid – supplemental snowmobile trail aids	SEG	C	700,000	700,000
(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
(ek)	Enforcement aids – spearfishing enforcement	PR–S	A	10,000	10,000
(eq)	Enforcement aids — boating enforcement	SEG	A	800,000	800,000
(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	300,000	300,000
(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

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	2,100,000	2,100,000
PROGRAM REVENUE	1,232,200	1,232,200
FEDERAL	(1,222,200)	(1,222,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SERVICE			(10,000)	(10,000)
SEGREGATED FUNDS			23,655,700	24,063,400
FEDERAL			(510,900)	(510,900)
OTHER			(23,144,800)	(23,552,500)
TOTAL–ALL SOURCES			26,987,900	27,395,600
(6) ENVIRONMENTAL AIDS				
(aa) Environmental aids – non–point source	GPR	B	6,243,600	6,243,600
(ag) Environmental aids – nonpoint repayments	PR	C	–0–	–0–
(ak) Environmental aids – nonpoint source; Indian gaming	PR–S	A	1,000,000	1,000,000
(aq) Environmental aids — non–point source program	SEG	B	6,005,300	6,005,300
(ar) Environmental aids – lake and river grants; conservation fund	SEG	C	2,303,300	2,303,300
(as) Environmental aids – lakes managment planning grants	SEG	C	622,100	622,100
(au) Environmental aids – lake and river grants; environmental fund	SEG	C	150,000	150,000
(ba) Environmental aids — dump closure cost share	GPR	C	1,247,700	1,247,700
(bj) Environmental aids — waste reduction and recycling grants and gifts	PR	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	–0–	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
(eq)	Environmental aids – dry cleaner environmental response	SEG	A	1,600,000	1,600,000
(et)	Environmental aids – brownfield site assessment	SEG	A	1,000,000	1,000,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			7,774,700	7,774,700
PROGRAM REVENUE			1,455,600	1,755,600
FEDERAL			(335,600)	(335,600)
OTHER			(–0–)	(–0–)
SERVICE			(1,120,000)	(1,420,000)
SEGREGATED FUNDS			33,230,700	27,730,700
OTHER			(33,230,700)	(27,730,700)
TOTAL–ALL SOURCES			42,461,000	37,261,000
(7) DEBT SERVICE AND DEVELOPMENT				
(aa) Resource acquisition and development – principal repayment and interest	GPR	S	21,838,300	23,781,300
(ac) Principal repayment and interest – recreational boating bonds	GPR	S	–0–	–0–
(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–
(ba) Debt service – remedial action	GPR	S	1,801,200	2,475,300
(ca) Principal repayment and interest – nonpoint source grants	GPR	S	2,259,500	2,528,300
(cb) Principal repayment and interest – pollution abatement bonds	GPR	S	71,579,300	68,575,900

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(cc)	Principal repay. and int. – combined sewer overflow; pollution abat. bonds	GPR	S	17,276,800	17,001,400
(cd)	Principal repayment and interest – municipal clean drinking water grants	GPR	S	1,510,800	1,509,500
(ce)	Principal repayment and interest – nonpoint source compliance	GPR	S	54,200	168,900
(ea)	Administrative facilities – principal repayment and interest	GPR	S	537,500	577,700
(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

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(fu)	Resource acquisition and development — nonmotorized boating improvements	SEG	C	–0–	–0–
(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	120,218,900	119,979,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
PROGRAM REVENUE			1,000,000	1,000,000
OTHER			(–0–)	(–0–)
SERVICE			(1,000,000)	(1,000,000)
SEGREGATED FUNDS			5,676,600	6,385,600
FEDERAL			(1,960,200)	(1,960,200)
OTHER			(3,716,400)	(4,425,400)
TOTAL–ALL SOURCES			126,895,500	127,365,200
(8) ADMINISTRATION AND TECHNOLOGY				
(ir) Promotional activities and publications	SEG	C	83,000	83,000
(iw) Statewide recycling administration	SEG	A	117,200	117,200
(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
(mh) Information technology development projects	PR–S	A	–0–	–0–
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(mu) General program operations — state funds	SEG	A	15,958,100	16,009,300
(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
(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	23,300,200	23,647,100
FEDERAL	(4,500,400)	(4,500,400)
OTHER	(18,799,800)	(19,146,700)
SERVICE	(–0–)	(–0–)
TOTAL–ALL SOURCES	38,622,500	39,044,700

(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(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

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(mu) General program operations – state funds	SEG	A	10,961,700	10,812,600
(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	51,900	51,900
(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	16,663,600	16,629,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
FEDERAL			(1,803,900)	(1,803,900)
OTHER			(14,859,700)	(14,825,600)
TOTAL–ALL SOURCES			20,241,200	20,165,700
20.370 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			174,199,300	174,003,900
PROGRAM REVENUE			45,477,100	45,809,900
FEDERAL			(16,032,900)	(15,838,400)
OTHER			(18,143,300)	(18,120,600)
SERVICE			(11,300,900)	(11,850,900)
SEGREGATED FUNDS			233,841,900	229,101,800
FEDERAL			(26,031,000)	(26,031,000)
OTHER			(207,810,900)	(203,070,800)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			453,518,300	448,915,600
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	B	9,241,000	9,241,000
(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	35,700	35,700
(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–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(kb)	Sales of materials or services–individuals and organizations	PR–S	C	–0–	–0–
(kc)	Marketing clearinghouse charges	PR–S	A	–0–	–0–
(kd)	Information technology development projects	PR–S	A	–0–	–0–
(kg)	Tourism marketing; gaming revenue	PR–S	C	4,000,000	4,000,000
(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	13,303,300	13,303,300
PROGRAM REVENUE	4,141,900	4,141,900
FEDERAL	(–0–)	(–0–)
OTHER	(141,900)	(141,900)
SERVICE	(4,000,000)	(4,000,000)
SEGREGATED FUNDS	46,400	46,400
OTHER	(46,400)	(46,400)
TOTAL–ALL SOURCES	17,491,600	17,491,600

(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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–)
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			13,303,300	13,303,300
PROGRAM REVENUE			4,141,900	4,141,900
FEDERAL			(–0–)	(–0–)
OTHER			(141,900)	(141,900)
SERVICE			(4,000,000)	(4,000,000)
SEGREGATED FUNDS			240,500	240,500
OTHER			(240,500)	(240,500)
TOTAL–ALL SOURCES			17,685,700	17,685,700

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	79,925,500	81,106,600
(at) Transportation aids to municipalities, state funds	SEG	A	251,262,000	254,784,900

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(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	797,800	797,800
(cr)	Elderly and disabled county aids, state funds	SEG	A	6,632,800	6,831,800
(cv)	Elderly and disabled aids, local funds	SEG–L	C	574,500	574,500
(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	1,350,000	1,350,000
(fu)	County forest road aids, state funds	SEG	A	303,300	303,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(gq) Expressway policing aids, state funds	SEG	A	900,800	900,800
(hq) Tier A transit operating aids, state funds	SEG	A	63,691,300	65,012,900
(hr) Tier B transit operating aids, state funds	SEG	A	19,842,000	24,100,400
(hs) Tier C transit operating aids, state funds	SEG	A	3,732,000	–0–
(1) PROGRAM TOTALS				
SEGREGATED FUNDS			466,109,900	472,860,900
FEDERAL			(23,200,000)	(23,200,000)
OTHER			(442,225,400)	(448,976,400)
LOCAL			(684,500)	(684,500)
TOTAL–ALL SOURCES			466,109,900	472,860,900
(2) LOCAL TRANSPORTATION ASSISTANCE				
(aq) Accelerated local bridge improvement assistance, state funds	SEG	C	–0–	–0–
(av) Accelerated local bridge improvement assistance, local funds	SEG–L	C	–0–	–0–
(ax) Accelerated local bridge improvement assistance, federal funds	SEG–F	C	–0–	–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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(bv)	Rail service assistance, local funds	SEG–L	C	500,000	500,000
(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
(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	11,904,000	11,904,000
(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
(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	20,656,200	20,656,200

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(fv)	Local transportation facility improvement assistance, local funds	SEG–L	C	33,928,200	33,928,200
(fx)	Local transportation facility improvement assistance, federal funds	SEG–F	C	71,379,700	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
(hx)	Multimodal transportation studies, federal funds	SEG–F	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(nx)	Transporation enhancement activities, federal funds	SEG–F	C	6,248,000	6,248,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(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	262,072,600	261,943,900
FEDERAL	(147,575,000)	(147,409,100)
OTHER	(53,437,100)	(52,974,300)
SERVICE	(–0–)	(–0–)
LOCAL	(61,060,500)	(61,560,500)
TOTAL–ALL SOURCES	262,072,600	261,943,900

(3) STATE HIGHWAY FACILITIES

(bq)	Major highway development, state funds	SEG	C	43,066,000	47,658,200
(br)	Major highway development, service funds	SEG–S	C	113,210,300	114,407,200
(bv)	Major highway development, local funds	SEG–L	C	–0–	–0–
(bx)	Major highway development, federal funds	SEG–F	C	57,328,100	57,948,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(cq)	State highway rehabilitation, state funds	SEG	C	255,933,300	255,923,400
(cv)	State highway rehabilitation, local funds	SEG–L	C	2,000,000	2,000,000
(cx)	State highway rehabilitation, federal funds	SEG–F	C	283,280,100	292,828,300
(eq)	Highway maintenance, repair and traffic operations, state funds	SEG	B	150,149,000	158,817,600
(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	5,700,400	5,700,400

(3) PROGRAM TOTALS

SEGREGATED FUNDS	931,597,200	956,158,600
FEDERAL	(347,502,600)	(357,671,200)
OTHER	(468,634,300)	(481,830,200)
SERVICE	(113,210,300)	(114,407,200)
LOCAL	(2,250,000)	(2,250,000)
TOTAL–ALL SOURCES	931,597,200	956,158,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(4) GENERAL TRANSPORTATION OPERATIONS				
(aq) Departmental management and operations, state funds	SEG	A	49,265,800	50,399,200
(ar) Minor construction projects, state funds	SEG	C	–0–	–0–
(as) Information technology development projects	PR–S	A	–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
(ay) Indirect cost reimbursements, federal funds	SEG–F	C	–0–	–0–
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(ew) Operating budget supplements, state funds	SEG	C	–0–	–0–
(4) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			94,524,300	95,895,100
FEDERAL			(13,677,900)	(13,715,300)
OTHER			(49,546,100)	(50,679,500)
SERVICE			(30,931,300)	(31,131,300)
LOCAL			(369,000)	(369,000)
TOTAL–ALL SOURCES			94,524,300	95,895,100
(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–
(cq) Veh. reg., insp. & maint., driver licensing & aircraft reg., state funds	SEG	A	67,987,200	68,939,800
(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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(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	42,927,400	44,022,200
(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	150,000	150,000

(5) PROGRAM TOTALS

PROGRAM REVENUE	1,977,300	1,682,000
OTHER	(1,775,100)	(1,479,800)
SERVICE	(202,200)	(202,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SEGREGATED FUNDS			123,869,100	126,208,300
FEDERAL			(4,922,800)	(5,214,600)
OTHER			(118,946,300)	(120,993,700)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			125,846,400	127,890,300
(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			1,884,793,300	1,919,410,300
FEDERAL			(536,878,300)	(547,210,200)
OTHER			(1,139,409,400)	(1,161,797,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SERVICE			(144,141,600)	(145,538,500)
LOCAL			(64,364,000)	(64,864,000)
TOTAL–ALL SOURCES			1,886,770,600	1,921,092,300
Environmental Resources				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			216,973,500	220,079,600
PROGRAM REVENUE			51,596,300	51,633,800
FEDERAL			(16,032,900)	(15,838,400)
OTHER			(20,060,300)	(19,742,300)
SERVICE			(15,503,100)	(16,053,100)
SEGREGATED FUNDS			2,126,001,300	2,152,878,200
FEDERAL			(562,909,300)	(573,241,200)
OTHER			(1,354,586,400)	(1,369,234,500)
SERVICE			(144,141,600)	(145,538,500)
LOCAL			(64,364,000)	(64,864,000)
TOTAL–ALL SOURCES			2,394,571,100	2,424,591,600

Human Relations and Resources

20.410 Corrections, department of

(1) ADULT CORRECTIONAL SERVICES

(a)	General program operations	GPR	A	286,859,400	302,900,100
(aa)	Institutional repair and maintenance	GPR	A	3,222,400	3,548,000
(ab)	Corrections contracts and agreements	GPR	A	115,169,400	162,813,000
(b)	Services for community corrections	GPR	A	112,624,500	127,793,900
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(c)	Reimbursement claims of counties containing state prisons	GPR	S	261,900	261,900
(cm)	Home detention program	GPR	A	–0–	–0–
(cw)	Mother–young child care program	GPR	A	200,000	200,000
(d)	Purchased services for offenders	GPR	A	14,914,300	15,109,200
(e)	Principal repayment and interest	GPR	S	46,187,300	48,666,800
(ec)	Prison industries principal, interest and rebates	GPR	S	–0–	–0–
(ed)	Correctional facilities rental	GPR	A	–0–	–0–
(ef)	Lease rental payments	GPR	S	–0–	–0–
(f)	Energy costs	GPR	A	9,632,700	9,898,700
(fm)	Offender release information	GPR	B	–0–	–0–
(g)	Loan fund for persons on probation, extended supervision or parole	PR	A	6,000	6,000
(gb)	Drug testing	PR	C	38,900	38,900
(gc)	Sex offender honesty testing	PR	C	–0–	–0–
(ge)	Administrative and minimum supervision	PR	A	488,300	488,400
(gf)	Probation, parole and extended supervision	PR	A	4,165,000	4,165,000
(gg)	Supervision of defendants and offenders	PR	A	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(gh)	Supervision of persons on lifetime supervision	PR	A	–0–	–0–
(gi)	General operations	PR	A	1,153,100	1,153,100
(gm)	Sale of fuel and utility service	PR	A	–0–	–0–
(gr)	Home detention services	PR	A	1,522,800	1,523,500
(gt)	Telephone company commissions	PR	A	1,053,700	832,700
(h)	Administration of restitution	PR	A	680,900	680,900
(hm)	Private business employment of inmates and residents	PR	A	2,383,300	2,383,300
(i)	Gifts and grants	PR	C	33,400	33,400
(j)	State–owned housing maintenance	PR	A	–0–	–0–
(kc)	Correctional institution enterprises; inmate activities and employment	PR–S	C	1,042,900	1,042,900
(kf)	Correctional farms	PR–S	A	3,260,200	3,374,200
(kg)	Crime victim assistance services	PR–S	A	204,000	222,200
(kk)	Institutional operations and charges	PR–S	A	12,795,000	12,795,700
(km)	Prison industries	PR–S	A	21,033,300	22,382,300
(ko)	Prison industries principal repayment, interest and rebates	PR–S	S	97,600	101,900
(kp)	Correctional officer training	PR–S	A	1,440,700	1,440,700
(kv)	Information technology	PR–S	A	2,000,000	2,000,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(kw) Information technology development projects	PR–S	A	–0–	–0–
(kx) Interagency and intra–agency programs	PR–S	C	2,694,200	3,279,100
(ky) Interagency and intra–agency aids	PR–S	C	1,442,100	1,442,100
(kz) Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m) Federal project operations	PR–F	C	31,000	31,000
(n) Federal program operations	PR–F	C	–0–	–0–
(q) Computer recycling	SEG	A	500,000	500,000

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	593,768,500	675,888,200
PROGRAM REVENUE	57,566,400	59,417,300
FEDERAL	(31,000)	(31,000)
OTHER	(11,525,400)	(11,305,200)
SERVICE	(46,010,000)	(48,081,100)
SEGREGATED FUNDS	500,000	500,000
OTHER	(500,000)	(500,000)
TOTAL–ALL SOURCES	651,834,900	735,805,500

(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(a)	General program operations	GPR	A	1,498,200	1,498,200
(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	10,813,200	10,813,200
(d)	Youth diversion	GPR	A	380,000	380,000
(e)	Principal repayment and interest	GPR	S	3,425,900	3,411,400
(f)	Community intervention program	GPR	A	3,750,000	3,750,000
(g)	Legal service collections	PR	C	–0–	–0–
(gg)	Collection remittances to local units of government	PR	C	–0–	–0–
(hm)	Juvenile correctional services	PR	A	66,308,300	66,024,200
(ho)	Juvenile residential aftercare	PR	A	9,440,000	9,440,000
(hr)	Juvenile corrective sanctions program	PR	A	3,544,500	3,609,400
(i)	Gifts and grants	PR	C	5,300	5,300
(j)	State–owned housing maintenance	PR	A	35,000	35,000
(jr)	Institutional operations and charges	PR	A	208,600	208,600
(jv)	Secure detention services	PR	C	–0–	–0–
(kj)	Youth diversion program	PR–S	A	645,000	645,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(ko)	Interagency programs; community youth and family aids	PR–S	C	2,449,200	2,449,200
(kp)	Interagency programs; alcohol and other drug abuse	PR–S	C	300,000	300,000
(kx)	Interagency and intra–agency programs	PR–S	C	1,251,200	1,251,200
(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–
(n)	Federal program operations	PR–F	C	–0–	–0–
(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	101,801,800	103,787,300
PROGRAM REVENUE	84,187,100	83,967,900
FEDERAL	(–0–)	(–0–)
OTHER	(79,541,700)	(79,322,500)
SERVICE	(4,645,400)	(4,645,400)
SEGREGATED FUNDS	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	185,988,900	187,755,200

20.410 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	696,298,100	780,403,300
PROGRAM REVENUE	141,753,500	143,385,200
FEDERAL	(31,000)	(31,000)
OTHER	(91,067,100)	(90,627,700)
SERVICE	(50,655,400)	(52,726,500)
SEGREGATED FUNDS	500,000	500,000
OTHER	(500,000)	(500,000)
TOTAL–ALL SOURCES	838,551,600	924,288,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
20.425 Employment relations commission					
(1)	PROMOTION OF PEACE IN LABOR RELATIONS				
(a)	General program operations	GPR	A	2,662,600	2,680,900
(g)	Publications	PR	A	29,500	29,500
(h)	Collective bargaining training	PR	C	37,000	37,000
(i)	Fees	PR	A	307,900	307,900
(ka)	Information technology development projects	PR–S	A	–0–	–0–
	20.425 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,662,600	2,680,900
	PROGRAM REVENUE			374,400	374,400
	OTHER			(374,400)	(374,400)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			3,037,000	3,055,300
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	846,500	846,500
(i)	Gifts and grants	PR	C	–0–	–0–
(k)	Contracts with state agencies	PR–S	A	521,500	724,000
(kb)	Insurance and other information, counseling and assistance	PR–S	A	229,500	248,800
(kc)	Information technology development projects	PR–S	A	–0–	–0–
(m)	Federal aid	PR–F	C	–0–	–0–
	20.432 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			846,500	846,500
	PROGRAM REVENUE			751,000	972,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(751,000)	(972,800)
TOTAL–ALL SOURCES			1,597,500	1,819,300

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	–0–	–0–
(m)	Federal project operations	PR–F	C	108,500	108,500
(ma)	Federal project aids	PR–F	C	350,000	350,000
(q)	Children's trust fund grants	SEG	C	30,000	80,000
(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	2,234,900	2,248,000
FEDERAL	(458,500)	(458,500)
OTHER	(1,776,400)	(1,789,500)
SERVICE	(–0–)	(–0–)
SEGREGATED FUNDS	60,000	110,000
OTHER	(60,000)	(110,000)
TOTAL–ALL SOURCES	2,294,900	2,358,000

20.434 Adolescent pregnancy prevention and pregnancy services

(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(a)	General program operations	GPR	A	112,200	112,200
(ka)	Information technology development projects	PR–S	A	–0–	–0–
(ky)	Interagency and intra–agency aids; pregnancy prevention and services	PR–S	C	439,300	439,300

20.434 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	112,200	112,200
PROGRAM REVENUE	439,300	439,300
SERVICE	(439,300)	(439,300)
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

(a)	General program operations	GPR	A	5,531,000	5,569,000
(bm)	Medical assistance administration	GPR	B	–0–	–0–
(gm)	Licensing, review and certifying activities fee; supplies and services	PR	A	5,025,000	5,142,000
(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	635,400
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(t)	Statewide trauma care system	SEG	A	–0–	80,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,531,000	5,569,000
	PROGRAM REVENUE			26,692,200	27,740,400
	FEDERAL			(20,804,900)	(21,741,900)
	OTHER			(5,215,700)	(5,363,100)
	SERVICE			(671,600)	(635,400)
	SEGREGATED FUNDS			331,000	411,000
	OTHER			(331,000)	(411,000)
	TOTAL–ALL SOURCES			32,554,200	33,720,400
(2)	CARE AND TREATMENT FACILITIES				
(a)	General program operations	GPR	A	39,690,400	39,942,000
(aa)	Institutional repair and maintenance	GPR	A	498,900	525,600
(b)	Wisconsin resource center	GPR	A	20,214,300	27,621,400
(bj)	Conditional and supervised release treatment and services	GPR	B	3,890,600	4,340,300
(bm)	Secure mental health units or facilities	GPR	A	8,866,600	8,141,200
(ee)	Principal repayment and interest	GPR	S	10,341,400	11,243,600
(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	148,437,600	150,553,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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	85,744,100	94,097,700
PROGRAM REVENUE	155,399,200	157,623,800
FEDERAL	(–0–)	(–0–)
OTHER	(148,611,000)	(150,726,500)
SERVICE	(6,788,200)	(6,897,300)
TOTAL–ALL SOURCES	241,143,300	251,721,500

(3) CHILDREN AND FAMILY SERVICES

(a)	General program operations	GPR	A	3,144,100	3,358,400
(bc)	Grants for community programs	GPR	A	697,200	697,200
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(cx)	Milwaukee child welfare services; aids	GPR	A	4,773,600	9,214,600
(cz)	Foster care services, kinship care and aid to minor custodial parents	GPR	A	1,473,200	1,473,200
(db)	Foster care assessments	GPR	A	112,800	112,800
(dd)	State foster care and adoption services	GPR	A	20,505,500	24,402,300
(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	150,000	150,000
(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	2,400,000	2,400,000
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	24,791,900	25,024,100
(kd)	Kinship care and long–term kinship care assessments	PR–S	A	1,464,000	1,464,000
(kw)	Interagency and intra–agency aids; Milwaukee child welfare services	PR–S	C	78,782,600	77,629,400
(kx)	Interagency and intra–agency programs	PR–S	C	4,347,100	4,429,900
(ky)	Interagency and intra–agency aids	PR–S	C	2,182,100	2,182,100
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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	3,634,800	–0–
(n) Federal program operations	PR–F	C	4,158,500	4,944,700
(na) Federal program aids	PR–F	C	2,915,000	2,915,000
(nL) Federal program local assistance	PR–F	C	6,760,600	8,289,200
(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	169,300	169,300
(p) National and community service board; federal aid for grants	PR–F	C	1,500,000	1,500,000
(pd) Federal aid; state foster care and adoption services	PR–F	C	18,672,000	22,231,600
(pm) Federal aid; adoption incentive payments	PR–F	C	542,700	972,500

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	48,731,200	57,634,500
PROGRAM REVENUE	172,618,100	172,886,500
FEDERAL	(56,421,600)	(57,527,900)
OTHER	(3,538,800)	(3,539,100)
SERVICE	(112,657,700)	(111,819,500)
TOTAL–ALL SOURCES	221,349,300	230,521,000

(4) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH CARE FINANCING

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(a)	General program operations	GPR	A	7,290,700	7,353,300
(af)	Health insurance risk–sharing plan; costs	GPR	A	9,900,000	9,900,000
(ah)	HIRSP; preimium and deductible reduction subsidy	GPR	B	780,800	780,800
(b)	Medical assistance program benefits	GPR	B	967,221,300	1,001,629,700
(bc)	Health care for low–income families	GPR	C	5,229,700	10,084,400
(bm)	Medical assistance administration	GPR	B	18,500,500	17,513,100
(bt)	Relief block grants to counties	GPR	A	2,000,000	2,000,000
(d)	Facility appeals mechanism	GPR	A	546,800	2,076,600
(e)	Disease aids	GPR	B	3,956,600	4,874,000
(g)	Family care benefit; cost sharing	PR	C	1,774,800	5,568,300
(gh)	Health insurance risk–sharing plan; premium reduction	PR	C	–0–	–0–
(gm)	Health services regulation and vital statistics	PR	A	1,610,100	1,660,700
(gp)	Health care; aids	PR	C	–0–	–0–
(h)	General assistance medical program; intergovernmental transfer	PR	A	2,500,000	2,500,000
(hg)	General program operations; health care information	PR	A	1,532,000	1,567,500
(hi)	Compilations and special reports	PR	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	3,089,700	5,364,100
(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	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(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	9,258,900
(o)	Federal aid; medical assistance	PR–F	C	1,828,615,400	1,908,938,600
(p)	Federal aid; medical assistance contracts administration	PR–F	C	51,398,400	63,394,500
(pa)	Federal aid; health care for low–income families	PR–F	C	32,801,300	34,440,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(u) Health insurance risk–sharing plan; administration	SEG	A	102,700	102,700

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,015,426,400	1,056,211,900
PROGRAM REVENUE	1,969,554,900	2,072,262,200
FEDERAL	(1,942,599,100)	(2,038,852,300)
OTHER	(25,081,800)	(31,235,900)
SERVICE	(1,874,000)	(2,174,000)
SEGREGATED FUNDS	102,700	102,700
OTHER	(102,700)	(102,700)
TOTAL–ALL SOURCES	2,985,084,000	3,128,576,800

(5) PUBLIC HEALTH SVCS PLANNING, REG & DELIVERY; PUBLIC HLTH; AIDS/LOCAL ASSIST

(am)	Services, reimburse & payment related to acquired immunodeficiency syndrome	GPR	A	3,803,100	4,280,900
(cb)	Health services for women and infants	GPR	A	3,805,200	3,607,800
(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	2,860,500
(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)	Disease aids	GPR	B	391,900	391,900

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(ed)	Radon aids	GPR	A	30,000	30,000
(ef)	Lead poisoning or lead exposure services	GPR	A	1,004,100	1,004,100
(em)	Supplemental food program for women, infants and children benefits	GPR	C	667,300	667,300
(er)	Neonatal intensive care unit training grants	GPR	C	170,000	170,000
(i)	Gifts and grants; aids	PR	C	–0–	–0–
(ja)	Congenital disorders; diagnosis, special dietary treatment and counseling	PR	A	1,456,400	1,456,400
(ke)	Cooperative American Indian health projects	PR–S	A	120,000	120,000
(ky)	Interagency and intra–agency aids	PR–S	C	517,000	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

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	17,714,900	17,995,300
PROGRAM REVENUE	71,918,600	71,918,600
FEDERAL	(69,591,100)	(69,591,100)
OTHER	(1,456,400)	(1,456,400)
SERVICE	(871,100)	(871,100)
TOTAL–ALL SOURCES	89,633,500	89,913,900

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(6)	SUPPORTIVE LIVING; STATE OPERATIONS				
(a)	General program operations; projects; council on physical disabilities	GPR	A	13,265,400	13,541,900
(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

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(k)	Nursing home monitoring and receivership operations	PR–S	C	–0–	–0–
(kx)	Interagency and intra–agency programs	PR–S	C	1,568,900	1,531,900
(m)	Federal project operations	PR–F	C	4,392,200	4,263,700
(mc)	Federal block grant operations	PR–F	C	2,138,200	2,099,800
(n)	Federal program operations	PR–F	C	14,590,600	14,873,100
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			14,157,700	14,433,100
	PROGRAM REVENUE			26,863,700	27,333,300
	FEDERAL			(21,121,000)	(21,236,600)
	OTHER			(4,173,800)	(4,564,800)
	SERVICE			(1,568,900)	(1,531,900)
	TOTAL–ALL SOURCES			41,021,400	41,766,400
(7)	SUPPORTIVE LIVING; AIDS AND LOCAL ASSISTANCE				
(b)	Community aids	GPR	A	175,393,200	189,107,000
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(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–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(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	9,511,500	11,464,700
(kz)	Interagency and intra–agency local assistance	PR–S	C	15,973,800	15,954,000
(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	6,031,600	7,117,300
(me)	Federal block grant local assistance	PR–F	C	10,728,700	10,528,700
(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	73,750,000	74,968,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			439,225,900	452,917,100
PROGRAM REVENUE			192,210,200	182,534,100
FEDERAL			(131,223,300)	(133,327,600)
OTHER			(1,115,000)	(1,115,000)
SERVICE			(59,871,900)	(48,091,500)
TOTAL–ALL SOURCES			631,436,100	635,451,200
(8) GENERAL ADMINISTRATION				
(a) General program operations	GPR	A	16,417,800	16,514,600
(i) Gifts and grants	PR	C	422,400	422,400
(k) Administrative and support services	PR–S	A	32,599,000	34,806,700
(ka) Information technology development projects	PR–S	A	–0–	–0–
(kx) Interagency and intra–agency programs	PR–S	C	238,800	264,300
(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	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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(n) Federal program operations	PR–F	C	3,744,800	2,367,900
(pz) Indirect cost reimbursements	PR–F	C	1,989,100	1,981,000

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	16,417,800	16,514,600
PROGRAM REVENUE	40,876,100	42,691,400
FEDERAL	(7,615,900)	(7,198,000)
OTHER	(422,400)	(422,400)
SERVICE	(32,837,800)	(35,071,000)
TOTAL–ALL SOURCES	57,293,900	59,206,000

20.435 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	1,642,949,000	1,715,373,200
PROGRAM REVENUE	2,656,133,000	2,754,990,300
FEDERAL	(2,249,376,900)	(2,349,475,400)
OTHER	(189,614,900)	(198,423,200)
SERVICE	(217,141,200)	(207,091,700)
SEGREGATED FUNDS	433,700	513,700
OTHER	(433,700)	(513,700)
TOTAL–ALL SOURCES	4,299,515,700	4,470,877,200

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–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
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–
(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–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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–
(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	45,424,700	45,538,100
(kd)	Information technology development projects	PR–S	A	–0–	–0–
(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

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(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	174,997,000	166,625,200
FEDERAL	(108,912,400)	(101,967,900)
OTHER	(20,378,800)	(18,988,000)
SERVICE	(45,705,800)	(45,669,300)
SEGREGATED FUNDS	3,700,000	3,700,000
OTHER	(3,700,000)	(3,700,000)
TOTAL–ALL SOURCES	186,820,500	178,448,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
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	32,059,900	31,978,900
(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	143,969,000	144,053,600
(e) Job access loans	GPR	B	450,000	450,000
(em) Employment skills advancement program	GPR	A	50,000	50,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(i)	Gifts and grants	PR	C	15,900	15,900
(ja)	Child support state operations–fees	PR	C	5,135,700	5,185,700
(jb)	Fees for administrative services	PR	C	483,700	485,800
(jL)	Job access loan repayments	PR	C	150,000	150,000
(k)	Child support transfers	PR–S	C	33,916,900	33,916,900
(kp)	Delinquent support and maintenace payments	PR–S	C	–0–	–0–
(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	41,037,200	38,958,300
(md)	Federal block grant aids	PR–F	A	442,008,600	461,311,900
(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(n)	Federal program operations	PR–F	C	43,744,100	43,724,700
(na)	Federal program aids	PR–F	C	4,000,000	4,000,000
(nL)	Federal program local assistance	PR–F	C	56,570,900	53,860,100
(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
(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	550,600	563,500
(r)	Support receipt and disbursement program; payments	SEG	C	–0–	–0–

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	195,413,300	195,416,900
PROGRAM REVENUE	663,505,900	678,057,300
FEDERAL	(600,555,900)	(615,050,200)
OTHER	(8,161,400)	(8,218,400)
SERVICE	(54,788,600)	(54,788,700)
SEGREGATED FUNDS	550,600	563,500
OTHER	(550,600)	(563,500)
TOTAL–ALL SOURCES	859,469,800	874,037,700

(4) ADJUDICATION OF CLAIMS

(a)	Administration of mining damage claims	GPR	A	–0–	–0–
(b)	Funding for mining damage claims	GPR	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(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

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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				
(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
(ka) Information technology development projects	PR–S	A	–0–	–0–
(kb) Administrative support; service funds	PR–S	C	46,800	44,500
(m) General enrollee operations; federal funds	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(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
(c)	Technical college system challenge grants	GPR	A	1,100,000	2,200,000
(ef)	School–to–work programs for children at risk	GPR	A	300,000	300,000

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(em)	Youth apprenticeship training grants	GPR	A	–0–	–0–
(k)	Career counseling center grants	PR–S	A	300,000	300,000
(kb)	Funds transferred from the technical college system board; school–to–work	PR–S	C	2,293,500	2,293,500
(kc)	Transfer of public assistance funds; work–based learning programs	PR–S	C	2,981,800	6,084,500
(kx)	Interagency and intra–agency programs	PR–S	C	–0–	–0–

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	3,238,400	4,338,400
PROGRAM REVENUE	5,575,300	8,678,000
SERVICE	(5,575,300)	(8,678,000)
TOTAL–ALL SOURCES	8,813,700	13,016,400

20.445 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	219,232,300	220,338,300
PROGRAM REVENUE	901,472,400	910,810,600
FEDERAL	(762,497,700)	(770,042,700)
OTHER	(31,102,900)	(29,738,500)
SERVICE	(107,871,800)	(111,029,400)
SEGREGATED FUNDS	7,824,700	7,949,400
OTHER	(7,824,700)	(7,949,400)
TOTAL–ALL SOURCES	1,128,529,400	1,139,098,300

20.455 Justice, department of

(1) LEGAL SERVICES

(a)	General program operations	GPR	A	12,525,100	12,531,100
(b)	Special counsel	GPR	S	1,100,000	1,100,000
(d)	Legal expenses	GPR	B	931,400	931,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(kc)	Indian law legal services	PR–S	A	81,100	93,700
(km)	Interagency and intra–agency assistance	PR–S	A	393,100	393,100
(m)	Federal aid	PR–F	C	609,500	606,000

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	14,556,500	14,562,500
PROGRAM REVENUE	1,502,600	1,511,800
FEDERAL	(609,500)	(606,000)
OTHER	(66,300)	(66,300)
SERVICE	(826,800)	(839,500)
TOTAL–ALL SOURCES	16,059,100	16,074,300

(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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
(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–
(kp)	Law enforcement training fund, local assistance	PR–S	A	3,635,500	3,715,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(kq)	Law enforcement training fund, state operations	PR–S	A	2,515,700	2,570,000
(kr)	Crime laboratory equipment and supplies	PR–S	A	377,300	377,300
(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	490,500	492,100
(m)	Federal aid, state operations	PR–F	C	83,000	85,100
(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	18,581,200	18,136,000
FEDERAL	(83,000)	(85,100)
OTHER	(6,490,000)	(6,578,300)
SERVICE	(12,008,200)	(11,472,600)
SEGREGATED FUNDS	226,000	226,700
OTHER	(226,000)	(226,700)
TOTAL–ALL SOURCES	33,338,400	32,935,700

(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

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(k)	Interagency and intra–agency assistance	PR–S	A	–0–	–0–
(ka)	Information technology development projects	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
(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 & witness surchg, sexual assault victim svcs & reimb to cnties	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–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(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

(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	36,855,700	36,907,400
PROGRAM REVENUE	31,364,100	31,021,200
FEDERAL	(6,151,800)	(5,559,900)
OTHER	(10,266,000)	(10,925,700)
SERVICE	(14,946,300)	(14,535,600)
SEGREGATED FUNDS	226,000	226,700
OTHER	(226,000)	(226,700)
TOTAL–ALL SOURCES	68,445,800	68,155,300

20.465 Military affairs, department of

(1) NATIONAL GUARD OPERATIONS

(a)	General program operations	GPR	A	4,689,600	4,694,800

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
(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	2,792,200	2,855,400
(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
(kn)	Information technology development projects; national guard		PR–S	A	–0–	–0–
(Li)	Gifts and grants		PR	C	–0–	–0–
(m)	Federal aid		PR–F	C	16,474,500	16,474,500
(pz)	Indirect cost reimbursements		PR–F	C	454,200	454,200
		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES				9,699,900	9,768,300
	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				27,526,000	27,594,400
(2)	GUARD MEMBERS' BENEFITS					
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(3)	Emergency management services				
(a)	General program operations	GPR	A	557,000	557,000
(c)	Helicopter support services	GPR	A	150,000	150,000
(dd)	Regional emergency response teams	GPR	A	1,577,400	1,400,000
(dh)	Hazardous substance emergency response; administration	GPR	A	91,100	91,100
(dp)	Emergency response equipment	GPR	A	568,000	568,000
(dr)	Emergency response supplement	GPR	C	–0–	–0–
(dt)	Emergency response training	GPR	B	64,900	64,900
(e)	Disaster recovery aid	GPR	S	881,200	881,200
(f)	Civil air patrol aids	GPR	A	19,000	19,000
(g)	Program services	PR	A	1,050,700	1,043,700
(i)	Emergency planning and reporting; administration	PR	A	674,500	674,500
(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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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	3,908,600	3,731,200
PROGRAM REVENUE	12,596,100	12,558,300
FEDERAL	(10,036,200)	(10,005,400)
OTHER	(2,559,900)	(2,552,900)
SEGREGATED FUNDS	467,400	476,200
OTHER	(467,400)	(476,200)
TOTAL–ALL SOURCES	16,972,100	16,765,700

(4) NATIONAL GUARD YOUTH PROGRAMS

(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	332,700	332,700
(m)	Federal aid – youth programs	PR–F	C	1,971,000	1,831,000

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	843,700	983,700
PROGRAM REVENUE	2,303,700	2,163,700
FEDERAL	(1,971,000)	(1,831,000)
OTHER	(–0–)	(–0–)
SERVICE	(332,700)	(332,700)
TOTAL–ALL SOURCES	3,147,400	3,147,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
20.465 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			18,041,600	18,072,600
PROGRAM REVENUE			32,725,900	32,548,100
FEDERAL			(28,935,900)	(28,765,100)
OTHER			(3,151,400)	(3,144,400)
SERVICE			(638,600)	(638,600)
SEGREGATED FUNDS			467,400	476,200
OTHER			(467,400)	(476,200)
TOTAL–ALL SOURCES			51,234,900	51,096,900

1 **20.475 District attorneys**

2 (1) DISTRICT ATTORNEYS

3	(d) Salaries and fringe benefits	GPR	A	32,776,800	32,776,800
4	(h) Gifts and grants	PR	C	1,616,300	1,616,300
5	(i) Other employes	PR	A	169,600	174,700
6	(k) Interagency and intra–agency				
7	assistance	PR–S	C	96,400	–0–
8	(m) Federal aid	PR–F	C	–0–	–0–

20.475 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			32,776,800	32,776,800
PROGRAM REVENUE			1,882,300	1,791,000
FEDERAL			(–0–)	(–0–)
OTHER			(1,785,900)	(1,791,000)
SERVICE			(96,400)	(–0–)
TOTAL–ALL SOURCES			34,659,100	34,567,800

9 **20.485 Veterans affairs, department of**

10 (1) HOMES FOR VETERANS

11	(b) General fund supplement to				
12	institutional operations	GPR	B	–0–	–0–
13	(d) Cemetery maintenance and				
14	beautification	GPR	A	24,900	24,900

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(e)	Lease rental payments	GPR	S	–0–	–0–
(f)	Principal repayment and interest	GPR	S	1,433,200	1,445,100
(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	35,719,700	35,837,600
(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
(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	1,458,100	1,470,000
PROGRAM REVENUE	36,366,400	36,552,900
FEDERAL	(12,500)	(12,500)
OTHER	(36,353,900)	(36,540,400)
SEGREGATED FUNDS	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	37,824,500	38,022,900

(2) LOANS AND AIDS TO VETERANS

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(b)	Wisconsin veterans museum space rental	GPR	A	353,900	353,900
(c)	Operation of Wisconsin veterans museum	GPR	A	478,000	478,000
(d)	Veterans memorials at The Highground	GPR	C	–0–	–0–
(db)	General fund supplement to veterans trust fund	GPR	A	–0–	–0–
(e)	Veterans memorial grants	GPR	C	–0–	–0–
(em)	Payments related to The Highground	GPR	C	–0–	–0–
(g)	Consumer reporting agency fees	PR	C	–0–	–0–
(ka)	Information technology development projects	PR–S	A	–0–	–0–
(kg)	American Indian services coordinator	PR–S	A	51,900	58,000
(km)	American Indian grants	PR–S	A	15,000	10,000
(m)	Federal aid projects	PR–F	C	187,000	183,000
(mg)	Federal aid; veterans training	PR–F	C	222,900	224,900
(mn)	Federal projects; museum acquisitions and operations	PR–F	C	–0–	–0–
(rm)	Veterans assistance program	SEG	B	1,672,200	1,508,300
(rp)	Veterans assistance program receipts	SEG	A	80,000	80,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(tf)	Veterans' tuition and fee reimbursement program	SEG	A	1,885,000	1,885,000
(th)	Correspondence courses and part–time classroom study	SEG	A	771,800	771,800
(tj)	Retraining grant program	SEG	A	500,000	500,000
(tm)	Facilities	SEG	C	–0–	–0–
(u)	Administration of loans and aids to veterans	SEG	A	3,320,500	3,017,600
(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
(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	292,800	292,800
(w)	Home for needy veterans	SEG	C	10,000	10,000
(wd)	Operation of Wisconsin veterans museum	SEG	A	574,000	491,300
(x)	Federal per diem payments	SEG–F	C	217,800	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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
1	(yo) Debt payment	SEG	S	262,500	1,511,300
2	(z) Gifts	SEG	C	–0–	–0–
3	(zm) Museum gifts and bequests	SEG	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			831,900	831,900
	PROGRAM REVENUE			476,800	475,900
	FEDERAL			(409,900)	(407,900)
	OTHER			(–0–)	(–0–)
	SERVICE			(66,900)	(68,000)
	SEGREGATED FUNDS			26,744,300	27,545,400
	FEDERAL			(217,800)	(295,000)
	OTHER			(26,526,500)	(27,250,400)
	TOTAL–ALL SOURCES			28,053,000	28,853,200
4	(3) SELF–AMORTIZING MORTGAGE LOANS FOR VETERANS				
5	(b) Self insurance	GPR	S	–0–	–0–
6	(e) General program deficiency	GPR	S	–0–	–0–
7	(q) Foreclosure loss payments	SEG	C	801,000	801,000
8	(r) Funded reserves	SEG	C	50,000	50,000
9	(rm) Other reserves	SEG	C	–0–	–0–
10	(s) General program operations	SEG	A	4,720,900	4,413,400
11	(sm) County grants	SEG	A	439,200	439,200
12	(t) Debt service	SEG	C	71,080,000	76,633,900
13	(v) Revenue obligation repayment	SEG	C	–0–	–0–
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			–0–	–0–
	SEGREGATED FUNDS			77,091,100	82,337,500
	OTHER			(77,091,100)	(82,337,500)
	TOTAL–ALL SOURCES			77,091,100	82,337,500
14	(4) VETERANS MEMORIAL CEMETERIES				

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(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)
SEGREGATED FUNDS	722,200	585,800
OTHER	(722,200)	(585,800)
TOTAL–ALL SOURCES	833,300	718,400

20.485 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	2,290,000	2,301,900
PROGRAM REVENUE	36,954,300	37,161,400
FEDERAL	(449,100)	(465,300)
OTHER	(36,438,300)	(36,628,100)
SERVICE	(66,900)	(68,000)
SEGREGATED FUNDS	104,557,600	110,468,700
FEDERAL	(217,800)	(295,000)
OTHER	(104,339,800)	(110,173,700)
TOTAL–ALL SOURCES	143,801,900	149,932,000

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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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–
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–
(kp) Indian gaming transfer to Wisconsin development reserve fund	PR–S	C	2,500,000	–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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(s) Petroleum inspection fund transfer to WDRF	SEG	A	–0–	–0–
(t) Recycling fund transfer for brownfields remediation	SEG	C	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			2,500,000	–0–
SERVICE			(2,500,000)	(–0–)
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			2,500,000	–0–
(6) WISCONSIN JOB TRAINING LOAN GUARANTEES				
(a) Wisconsin job training reserve fund	GPR	S	–0–	–0–
(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–
(7) BIOTECHNOLOGY DEVELOPMENT FINANCE COMPANY				
(a) Start–up capital and administrative expenses	GPR	B	1,000,000	–0–
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,000,000	–0–
TOTAL–ALL SOURCES			1,000,000	–0–
20.490 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,000,000	–0–
PROGRAM REVENUE			2,500,000	–0–
OTHER			(–0–)	(–0–)
SERVICE			(2,500,000)	(–0–)
SEGREGATED FUNDS			–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			3,500,000	–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	2,653,064,800	2,809,813,100
PROGRAM REVENUE	3,870,548,000	3,980,169,700
FEDERAL	(3,047,900,900)	(3,154,797,900)
OTHER	(427,540,200)	(437,869,900)
SERVICE	(395,106,900)	(387,501,900)
SEGREGATED FUNDS	114,069,400	120,244,700
FEDERAL	(217,800)	(295,000)
OTHER	(113,851,600)	(119,949,700)
SERVICE	(–0–)	(–0–)
LOCAL	(–0–)	(–0–)
TOTAL–ALL SOURCES	6,637,682,200	6,910,227,500

General Executive Functions

20.505 Administration, department of

(1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD

(a) General program operations	GPR	A	9,220,400	9,220,400
(b) Midwest interstate low–level radioactive waste compact; loan from gen. fund	GPR	C	–0–	–0–
(f) Badger state games assistance	GPR	A	50,000	50,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(fm)	National community service board; Wisconsin promise challenge grants	GPR	C	–0–	–0–
(fn)	Free books to organizations	GPR	A	100,000	100,000
(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–
(ij)	Land information board; aids to counties	PR	C	976,700	768,700
(ik)	Computer–based land information system	PR	A	822,300	1,030,300
(im)	Services to nonstate governmental units	PR	A	1,339,800	1,339,800
(ip)	Master lease payments	PR	C	–0–	–0–
(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	2,500,000

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(jb)	Gifts and grants; free books to organizations	PR	C	–0–	–0–
(ka)	Materials and services to agencies and certain districts	PR–S	A	50,356,800	51,377,900
(kc)	Capital planning and building construction services	PR–S	A	10,457,400	10,515,600
(ke)	Telecommunications and data processing services	PR–S	A	37,170,000	37,170,000
(kf)	Land information system services	PR–S	C	822,300	1,030,300
(kL)	Information technology processing services to agencies	PR–S	C	44,342,400	44,237,300
(kn)	Multi–agency information technology development projects	PR–S	A	–0–	–0–
(ko)	Information technology development projects; justice information systems	PR–S	A	–0–	–0–
(kp)	Interagency assistance; justice information systems	PR–S	A	962,300	2,382,000
(kq)	Justice information systems development, operation and maintenance	PR–S	A	1,600,000	1,600,000
(kr)	Information technology development and management services	PR–S	A	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(ks)	Wisconsin land council; state agency support	PR–S	C	311,400	311,400
(kt)	Soil survey and mapping; state agency support	PR–S	C	400,000	400,000
(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
(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)	Information technology investment fund administration	SEG	A	121,300	121,300
(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

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			9,370,400	9,370,400
PROGRAM REVENUE			163,490,000	164,672,200
FEDERAL			(9,215,900)	(9,215,900)
OTHER			(7,851,500)	(6,431,800)
SERVICE			(146,422,600)	(149,024,500)
SEGREGATED FUNDS			1,874,600	1,874,600
FEDERAL			(–0–)	(–0–)
OTHER			(874,600)	(874,600)
SERVICE			(1,000,000)	(1,000,000)
TOTAL–ALL SOURCES			174,735,000	175,917,200
(2) RISK MANAGEMENT				
(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	147,800	162,300
(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
(m) Federal aid	PR–F	C	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			507,600	522,100
PROGRAM REVENUE			6,100	6,100
FEDERAL			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
		OTHER			(6,100)	(6,100)
		TOTAL–ALL SOURCES			513,700	528,200
(4)		ATTACHED DIVISIONS, BOARDS, COUNCILS AND COMMISSIONS				
(a)		Adjudication of tax appeals	GPR	A	586,300	593,000
(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	2,153,500	2,173,700
(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
(kb)		Info tech development projects; attached divisions, boards and commissions	PR–S	A	–0–	–0–
(kp)		Hearings and appeals fees	PR–S	A	1,787,500	1,801,200
(r)		State capitol and executive residence board; gifts and grants	SEG	C	–0–	–0–
		(4) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUES			2,811,400	2,838,300
		PROGRAM REVENUE			7,082,800	7,096,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(5,033,200)	(5,033,200)
SERVICE			(2,049,600)	(2,063,300)
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
(d) Former educational communications board principal repayment and interest	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	745,900	1,365,900
(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			41,401,500	41,896,600
OTHER			(745,900)	(1,365,900)
SERVICE			(40,655,600)	(40,530,700)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			41,423,200	42,031,700
(6) OFFICE OF JUSTICE ASSISTANCE				
(a) General program operations	GPR	A	331,600	335,500
(c) Law enforcement officer supplement grants	GPR	A	1,000,000	1,000,000
(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
(ks) Tribal law enforcement assistance	PR–S	A	200,000	600,000
(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	351,100	353,200
(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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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
(pc)	Federal aid, anti–drug enforcement program, state operations	PR–F	C	3,737,000	4,630,700
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,331,600	1,335,500
	PROGRAM REVENUE			21,170,000	20,841,100
	FEDERAL			(18,654,400)	(17,627,100)
	OTHER			(–0–)	(–0–)
	SERVICE			(2,515,600)	(3,214,000)
	TOTAL–ALL SOURCES			22,501,600	22,176,600
(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	732,000	732,000
(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–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(jf)	Mobile home parks, dealers and salespersons	PR	A	142,300	142,300
(k)	Sale of materials or services	PR–S	C	–0–	–0–
(kg)	Housing program services	PR–S	C	6,702,600	6,702,600
(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			5,961,200	5,961,200
	PROGRAM REVENUE			95,002,700	95,002,700
	FEDERAL			(78,157,800)	(78,157,800)
	OTHER			(142,300)	(142,300)
	SERVICE			(16,702,600)	(16,702,600)
	TOTAL–ALL SOURCES			100,963,900	100,963,900
(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	2,164,400	1,418,300
(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			4,775,000	4,028,900
	OTHER			(4,775,000)	(4,028,900)
	TOTAL–ALL SOURCES			4,775,000	4,028,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
20.505 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			20,003,900	20,162,600
PROGRAM REVENUE			357,455,600	358,571,600
FEDERAL			(106,028,100)	(105,000,800)
OTHER			(18,554,000)	(17,008,200)
SERVICE			(232,873,500)	(236,562,600)
SEGREGATED FUNDS			1,874,600	1,874,600
FEDERAL			(–0–)	(–0–)
OTHER			(874,600)	(874,600)
SERVICE			(1,000,000)	(1,000,000)
TOTAL–ALL SOURCES			379,334,100	380,608,800

20.507 Board of commissioners of public lands

(1) TRUST LANDS AND INVESTMENTS

(h) Trust lands and investments – general program operations	PR–S	A	1,253,000	1,297,900
(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			1,305,700	1,350,600
FEDERAL			(52,700)	(52,700)
OTHER			(–0–)	(–0–)
SERVICE			(1,253,000)	(1,297,900)
TOTAL–ALL SOURCES			1,305,700	1,350,600

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
(c)	Legislative and special election account supplement	GPR	A	–0–	750,000
(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–
(ka)	Information technology development projects	PR–S	A	–0–	–0–
(q)	Wisconsin election campaign fund	SEG	C	700,700	700,700

20.510 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	867,500	1,618,400
PROGRAM REVENUE	42,200	42,200
OTHER	(42,200)	(42,200)
SERVICE	(–0–)	(–0–)
SEGREGATED FUNDS	700,700	700,700
OTHER	(700,700)	(700,700)
TOTAL–ALL SOURCES	1,610,400	2,361,300

20.512 Employment relations, department of

(1) EMPLOYMENT RELATIONS

(a)	General program operations	GPR	A	5,661,000	5,671,200
(i)	Services to nonstate governmental units	PR	A	198,100	208,300
(j)	Gifts and donations	PR	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(jm)	Employe development and training services	PR	A	407,000	418,900
(k)	Funds received from other state agencies	PR–S	C	16,000	16,000
(ka)	Publications	PR–S	A	169,300	183,300
(kb)	Information technology development projects	PR–S	A	–0–	–0–
(kg)	Interagency projects; state operations	PR–S	A	52,000	52,000
(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			5,661,000	5,671,200
	PROGRAM REVENUE			927,600	963,700
	FEDERAL			(–0–)	(–0–)
	OTHER			(605,100)	(627,200)
	SERVICE			(322,500)	(336,500)
	TOTAL–ALL SOURCES			6,588,600	6,634,900
(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–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.512 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,661,000	5,671,200
PROGRAM REVENUE			927,600	963,700
FEDERAL			(–0–)	(–0–)
OTHER			(605,100)	(627,200)
SERVICE			(322,500)	(336,500)
TOTAL–ALL SOURCES			6,588,600	6,634,900
20.515 Employe trust funds, department of				
(1) EMPLOYE BENEFIT PLANS				
(a) Annuity supplements and payments	GPR	S	5,503,600	4,562,800
(b) Health insurance payments for certain retired state employees	GPR	S	–0–	–0–
(c) Contingencies	GPR	S	–0–	–0–
(ka) Information technology development projects	PR–S	A	–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	14,359,700	14,054,600
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,503,600	4,562,800
PROGRAM REVENUE			–0–	–0–
SERVICE			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SEGREGATED FUNDS			14,906,500	14,601,400
OTHER			(14,906,500)	(14,601,400)
TOTAL–ALL SOURCES			20,410,100	19,164,200

20.521 Ethics board

(1) ETHICS AND LOBBYING REGULATION

(a) General program operations; general purpose revenue	GPR	A	236,400	236,400
(g) General program operations; program revenue	PR	A	297,900	297,900
(h) Gifts and grants	PR	C	–0–	–0–
(i) Materials and services	PR	A	15,000	15,000
(ka) Information technology development projects	PR–S	A	–0–	–0–

20.521 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	236,400	236,400
PROGRAM REVENUE	312,900	312,900
OTHER	(312,900)	(312,900)
SERVICE	(–0–)	(–0–)
TOTAL–ALL SOURCES	549,300	549,300

20.525 Office of the governor

(1) EXECUTIVE ADMINISTRATION

(a) General program operations	GPR	S	2,737,000	2,737,000
(b) Contingent fund	GPR	S	21,700	21,700
(c) Membership in national associations	GPR	S	103,000	103,000
(d) Disability board	GPR	S	–0–	–0–
(f) Literacy improvement aids	GPR	A	28,000	28,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(i) Gifts and grants	PR	C	–0–	–0–
(ka) Information technology development projects	PR–S	A	–0–	–0–
(kb) Assistance from state agencies	PR–S	C	155,000	195,600
(m) Federal aid	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,889,700	2,889,700
PROGRAM REVENUE			155,000	195,600
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(155,000)	(195,600)
TOTAL–ALL SOURCES			3,044,700	3,085,300
(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
20.525 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			3,074,300	3,074,300
PROGRAM REVENUE			155,000	195,600
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(155,000)	(195,600)
TOTAL–ALL SOURCES			3,229,300	3,269,900
20.536 Investment board				
(1) INVESTMENT OF FUNDS				
(k) General program operations	PR–S	A	13,957,100	14,046,900
(ka) General program operations; environmental improvement fund	PR–S	C	–0–	–0–
20.536 DEPARTMENT TOTALS				
PROGRAM REVENUE			13,957,100	14,046,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SERVICE			(13,957,100)	(14,046,900)
TOTAL–ALL SOURCES			13,957,100	14,046,900

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–
(ka) Information technology development projects	PR–S	A	–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

20.547 Personnel commission

(1) REVIEW OF PERSONNEL DECISIONS				
(a) General program operations	GPR	A	870,900	909,100
(h) Publications	PR	A	3,000	3,000
(ka) Information technology development projects	PR–S	A	–0–	–0–
(m) Federal aid	PR–F	C	–0–	–0–
20.547 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			870,900	909,100
PROGRAM REVENUE			3,000	3,000
FEDERAL			(–0–)	(–0–)
OTHER			(3,000)	(3,000)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
		SERVICE			(–0–)	(–0–)
		TOTAL–ALL SOURCES			873,900	912,100
20.550		**Public defender board**				
(1)		LEGAL ASSISTANCE				
	(a)	Program administration	GPR	A	1,928,100	2,441,200
	(b)	Appellate representation	GPR	A	3,850,300	3,851,000
	(c)	Trial representation	GPR	A	34,978,700	34,998,700
	(d)	Private bar and investigator reimbursement	GPR	B	18,314,000	19,347,400
	(e)	Private bar and investigator payments; administration costs	GPR	A	553,600	553,600
	(f)	Transcript and record payments	GPR	A	1,249,600	1,249,600
	(fb)	Payments from clients; administrative costs	PR	A	130,000	130,000
	(g)	Gifts and grants	PR	C	–0–	–0–
	(h)	Contractual agreements	PR–S	A	–0–	–0–
	(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			60,874,300	62,441,500
		PROGRAM REVENUE			1,268,000	1,268,000
		FEDERAL			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(1,154,700)	(1,154,700)
SERVICE			(113,300)	(113,300)
TOTAL–ALL SOURCES			62,142,300	63,709,500

20.566 Revenue, department of

(1) COLLECTION OF TAXES

(a) General program operations	GPR	A	36,219,400	36,210,800
(g) Administration of county sales and use taxes	PR	A	2,922,300	2,972,300
(ga) Cigarette tax stamps	PR	A	177,800	177,800
(gb) Business tax registration	PR	A	1,637,400	1,637,400
(gc) Audits of occasional sales of motor vehicles	PR	A	–0–	–0–
(gd) Administration of special district taxes	PR	A	382,700	367,700
(gf) Administration of resort tax	PR	A	18,500	18,500
(gg) Administration of local taxes	PR	A	278,900	278,900
(gm) Administration of tax on controlled substances dealers	PR	A	–0–	–0–
(h) Debt collection	PR	A	294,300	293,100
(ha) Administration of liquor tax	PR	A	215,400	215,400
(hm) Collections under contracts	PR	S	352,800	352,800
(hp) Administration of endangered resources voluntary payments	PR	A	33,000	33,000
(hq) Delinquent tax collection fees	PR	C	10,833,300	10,833,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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	36,219,400	36,210,800
PROGRAM REVENUE	17,146,400	17,180,200
FEDERAL	(–0–)	(–0–)
OTHER	(17,146,400)	(17,180,200)
SEGREGATED FUNDS	1,309,500	1,309,500
OTHER	(1,309,500)	(1,309,500)
TOTAL–ALL SOURCES	54,675,300	54,700,500

(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
(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

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
1	(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
2	(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
3	(a) General program operations	GPR	A	15,570,100	15,584,000
4	(b) Integrated tax system technology	GPR	A	5,736,000	5,701,000
5	(c) Expert professional services	GPR	A	30,000	30,000
6	(g) Services	PR	A	57,000	57,000
7	(gm) Reciprocity agreement and				
8	publications	PR	A	201,400	201,400
9	(go) Reciprocity agreement; Illinois	PR	A	105,000	50,700
10	(i) Gifts and grants	PR	C	–0–	–0–
11	(k) Internal services	PR–S	A	200,300	200,300
12	(ka) Information technology				
13	development projects	PR–S	A	–0–	–0–
14	(m) Federal funds; state operations	PR–F	C	–0–	–0–
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			21,336,100	21,315,000
	PROGRAM REVENUE			563,700	509,400
	FEDERAL			(–0–)	(–0–)
	OTHER			(363,400)	(309,100)
	SERVICE			(200,300)	(200,300)
	TOTAL–ALL SOURCES			21,899,800	21,824,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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	28,519,300	31,214,500
(s) Prizes	SEG	S	–0–	–0–
(v) Vendor fees	SEG	S	12,193,400	12,434,100
(8) PROGRAM TOTALS				
SEGREGATED FUNDS			61,808,500	64,744,400
OTHER			(61,808,500)	(64,744,400)
TOTAL–ALL SOURCES			61,808,500	64,744,400
20.566 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			68,321,300	68,291,600
PROGRAM REVENUE			18,453,000	18,432,500
FEDERAL			(–0–)	(–0–)
OTHER			(18,252,700)	(18,232,200)
SERVICE			(200,300)	(200,300)
SEGREGATED FUNDS			63,348,100	66,274,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(63,348,100)	(66,274,200)
TOTAL–ALL SOURCES			150,122,400	152,998,300

20.575 Secretary of state

(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES

(g)	Program fees	PR	A	603,300	593,700
(ka)	Agency collections	PR–S	A	4,000	4,000

20.575 DEPARTMENT TOTALS

PROGRAM REVENUE	607,300	597,700
OTHER	(603,300)	(593,700)
SERVICE	(4,000)	(4,000)
TOTAL–ALL SOURCES	607,300	597,700

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	174,700	174,800
(h)	Training conferences	PR	C	–0–	–0–
(i)	Gifts and grants	PR	C	–0–	–0–
(j)	Unclaimed property	PR	C	850,300	850,300
(jt)	Allocation – cash management	PR	A	45,800	46,400
(ka)	Information technology development projects	PR–S	A	–0–	–0–
(kb)	General program operations	PR–S	A	521,900	525,100
(km)	Credit card use charges	PR–S	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			1,592,700	1,596,600
OTHER			(1,070,800)	(1,071,500)
SERVICE			(521,900)	(525,100)
TOTAL–ALL SOURCES			1,592,700	1,596,600
(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			1,592,700	1,596,600
OTHER			(1,070,800)	(1,071,500)
SERVICE			(521,900)	(525,100)
SEGREGATED FUNDS			147,000	150,000
OTHER			(147,000)	(150,000)
TOTAL–ALL SOURCES			1,824,700	1,831,600
General Executive Functions FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			166,001,300	167,556,000
PROGRAM REVENUE			396,080,100	397,381,300
FEDERAL			(106,080,800)	(105,053,500)
OTHER			(40,598,700)	(39,045,600)
SERVICE			(249,400,600)	(253,282,200)
SEGREGATED FUNDS			80,976,900	83,600,900
FEDERAL			(–0–)	(–0–)
OTHER			(79,976,900)	(82,600,900)
SERVICE			(1,000,000)	(1,000,000)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			643,058,300	648,538,200

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
(k)	Drug court costs; local assistance	PR	C	160,000	160,000
(m)	Federal aid	PR–F	C	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	70,441,400	70,441,400
PROGRAM REVENUE	160,000	160,000
FEDERAL	(–0–)	(–0–)
OTHER	(160,000)	(160,000)
TOTAL–ALL SOURCES	70,601,400	70,601,400

(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	160,000	160,000
FEDERAL	(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(160,000)	(160,000)
TOTAL–ALL SOURCES			70,601,400	70,601,400

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
(ka) Information technology development projects	PR–S	A	–0–	–0–
(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–)
SERVICE	(–0–)	(–0–)
TOTAL–ALL SOURCES	225,900	226,300

20.680 Supreme court

(1) SUPREME COURT PROCEEDINGS

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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–
	FEDERAL			(–0–)	(–0–)
	TOTAL–ALL SOURCES			3,848,100	3,848,100
(2)	DIRECTOR OF STATE COURTS				
(a)	General program operations	GPR	A	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 and interpreters	PR	C	7,452,500	7,452,500
(ka)	Information technology development projects	PR–S	A	–0–	–0–
(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–
(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			8,182,800	8,182,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
FEDERAL			(400,000)	(400,000)
OTHER			(7,618,800)	(7,618,800)
SERVICE			(164,000)	(164,000)
SEGREGATED FUNDS			657,800	657,800
OTHER			(657,800)	(657,800)
TOTAL–ALL SOURCES			13,649,900	13,649,900
(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	A	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			10,434,200	10,434,200
FEDERAL			(400,000)	(400,000)
OTHER			(9,870,200)	(9,870,200)
SERVICE			(164,000)	(164,000)
SEGREGATED FUNDS			657,800	657,800
OTHER			(657,800)	(657,800)
TOTAL–ALL SOURCES			20,815,000	20,772,000
Judicial FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			87,388,200	87,345,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
PROGRAM REVENUE			10,594,200	10,594,200
FEDERAL			(400,000)	(400,000)
OTHER			(10,030,200)	(10,030,200)
SERVICE			(164,000)	(164,000)
SEGREGATED FUNDS			657,800	657,800
FEDERAL			(–0–)	(–0–)
OTHER			(657,800)	(657,800)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			98,640,200	98,597,600

Legislative

20.765 Legislature

(1) ENACTMENT OF STATE LAWS

(a) General program operations — assembly	GPR	S	20,801,600	20,801,600
(b) General program operations — senate	GPR	S	13,391,900	13,391,900
(d) Legislative documents; exhibit	GPR	S	7,831,000	7,831,000
(ka) Information technology development projects	PR–S	A	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	42,024,500	42,024,500
PROGRAM REVENUE	–0–	–0–
SERVICE	(–0–)	(–0–)
TOTAL–ALL SOURCES	42,024,500	42,024,500

(2) SPECIAL STUDY GROUPS

(a) Retirement committees	GPR	A	217,000	212,800
(ab) Retirement actuarial studies	GPR	B	15,000	15,000

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
		(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
(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	160,000	165,100
(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
(km)		Computer networking	PR–S	C	–0–	–0–
(m)		Federal aid	PR–F	C	–0–	–0–
		(3) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUES			15,180,900	15,270,000
		PROGRAM REVENUE			1,281,900	1,355,200
		FEDERAL			(–0–)	(–0–)
		OTHER			(–0–)	(–0–)
		SERVICE			(1,281,900)	(1,355,200)
		TOTAL–ALL SOURCES			16,462,800	16,625,200
		20.765 DEPARTMENT TOTALS				
		GENERAL PURPOSE REVENUES			57,437,400	57,522,300
		PROGRAM REVENUE			1,281,900	1,355,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(1,281,900)	(1,355,200)
TOTAL–ALL SOURCES			58,719,300	58,877,500
Legislative FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			57,437,400	57,522,300
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–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			58,719,300	58,877,500

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	76,000,000	80,000,000
(f) County mandate relief account	GPR	S	20,159,000	20,159,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,084,618,800	1,088,618,800
TOTAL–ALL SOURCES			1,084,618,800	1,088,618,800

(2) TAX RELIEF

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(b)	Claim of right credit	GPR	S	–0–	–0–
(c)	Homestead tax credit	GPR	S	84,600,000	83,100,000
(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
(d)	Farmers' drought property tax credit	GPR	S	–0–	–0–
(dm)	Farmland preservation credit	GPR	S	20,100,000	19,500,000
(dp)	Farmland preservation acreage credit	GPR	S	500	1,000
(ep)	Cigarette and tobacco product tax refunds	GPR	S	7,691,500	7,650,000
(f)	Earned income tax credit	GPR	S	74,000,000	80,000,000
(k)	Earned income tax credit; community service job participants	PR–S	C	–0–	–0–
(q)	Farmland tax relief credit	SEG	S	10,600,000	10,000,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	186,697,000	190,556,000
PROGRAM REVENUE	–0–	–0–
SERVICE	(–0–)	(–0–)
SEGREGATED FUNDS	10,600,000	10,000,000
OTHER	(10,600,000)	(10,000,000)
TOTAL–ALL SOURCES	197,297,000	200,556,000

(3) STATE PROPERTY TAX CREDITS

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
(b)	School levy tax credit		GPR	S	469,305,000	469,305,000
(q)	Lottery credit		SEG	S	110,368,000	111,753,000
		(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES				469,305,000	469,305,000
	SEGREGATED FUNDS				110,368,000	111,753,000
	OTHER				(110,368,000)	(111,753,000)
	TOTAL–ALL SOURCES				579,673,000	581,058,000
(4)	COUNTY AND LOCAL TAXES					
(g)	County taxes		PR	C	–0–	–0–
(gb)	Special district taxes		PR	C	–0–	–0–
(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				1,758,686,100	1,766,545,100
	PROGRAM REVENUE				–0–	–0–
	OTHER				(–0–)	(–0–)
	SERVICE				(–0–)	(–0–)
	SEGREGATED FUNDS				120,968,000	121,753,000
	OTHER				(120,968,000)	(121,753,000)
	TOTAL–ALL SOURCES				1,879,654,100	1,888,298,100

20.855 Miscellaneous appropriations

(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(a)	Obligation on operating notes	GPR	S	8,500,000	15,500,000
(b)	Operating note expenses	GPR	S	110,000	110,000
(c)	Interest payments to program revenue accounts	GPR	S	–0–	–0–
(d)	Interest payments to segregated funds	GPR	S	–0–	–0–
(e)	Interest on prorated local government payments	GPR	S	–0–	–0–
(q)	Redemption of operating notes	SEG	S	–0–	–0–
(r)	Interest payments to general fund	SEG	S	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,610,000	15,610,000
	SEGREGATED FUNDS			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			8,610,000	15,610,000
(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
(am)	Great Lakes protection fund contribution	GPR	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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	10,700,000	10,700,000
(q)	Terminal tax distribution	SEG	S	855,500	855,500
(r)	Petroleum allowance	SEG	S	400,000	400,000
(s)	Transfer to conservation fund; motorboat formula	SEG	S	9,615,800	9,839,400
(t)	Transfer to conservation fund; snowmobile formula	SEG	S	3,704,500	3,762,900
(u)	Transfer to conservation fund; all–terrain vehicle formula	SEG	S	570,700	579,700

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	64,903,700	60,208,600
SEGREGATED FUNDS	15,146,500	15,437,500
OTHER	(15,146,500)	(15,437,500)
TOTAL–ALL SOURCES	80,050,200	75,646,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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–
(7) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(–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			75,934,100	78,239,000
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			15,146,500	15,437,500
OTHER			(15,146,500)	(15,437,500)
TOTAL–ALL SOURCES			91,080,600	93,676,500
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–
(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

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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–
(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–

	Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(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–
(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–

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999–00	2000–01
		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–
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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–
(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	591,200	591,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(g) Program revenue funds general program supplementation	PR	S	160,300	160,300
(m) Federal funds general program supplementation	PR–F	C	2,000,000	2,000,000
(u) Segregated funds general program supplementation	SEG	S	1,384,400	1,384,400

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	591,200	591,200
PROGRAM REVENUE	2,160,300	2,160,300
FEDERAL	(2,000,000)	(2,000,000)
OTHER	(160,300)	(160,300)
SEGREGATED FUNDS	1,384,400	1,384,400
OTHER	(1,384,400)	(1,384,400)
TOTAL–ALL SOURCES	4,135,900	4,135,900

(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.–SERVICE APPROPRIATIONS

(g) Supplementation of program revenue and program rev.–service appropriations	PR	S	–0–	–0–

(8) PROGRAM TOTALS

PROGRAM REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	–0–	–0–

20.865 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	19,103,900	50,787,500
PROGRAM REVENUE	3,446,800	3,446,800
FEDERAL	(2,000,000)	(2,000,000)
OTHER	(1,446,800)	(1,446,800)
SERVICE	(–0–)	(–0–)
SEGREGATED FUNDS	1,384,400	1,384,400
FEDERAL	(–0–)	(–0–)
OTHER	(1,384,400)	(1,384,400)
TOTAL–ALL SOURCES	23,935,100	55,618,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
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	9,762,900	9,336,500
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			9,762,900	9,336,500
TOTAL–ALL SOURCES			9,762,900	9,336,500
(2) ALL STATE–OWNED FACILITIES				
(b) Asbestos removal	GPR	A	–0–	–0–
(c) Hazardous materials removal	GPR	A	–0–	–0–
(f) Facilities preventive maintenance	GPR	A	–0–	–0–
(ka) Information technology development projects	PR–S	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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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–
PROGRAM REVENUE			–0–	–0–
SERVICE			(–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	19,004,700	28,520,500
(b) Principal repayment and interest	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–
(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–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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			19,004,700	28,520,500
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			20,028,900	29,544,700
(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–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.867 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			28,767,600	37,857,000
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			29,791,800	38,881,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
20.870 Information technology investment fund				
(1) INFORMATION TECHNOLOGY DEVELOPMENT				
(q) Special projects; fee revenue	SEG	A	–0–	–0–
(r) Special projects; agency revenues	SEG	A	–0–	–0–
(s) Special projects; gifts and grants	SEG	A	–0–	–0–
20.870 DEPARTMENT TOTALS				
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
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			1,882,491,700	1,933,428,600
PROGRAM REVENUE			3,446,800	3,446,800
FEDERAL			(2,000,000)	(2,000,000)
OTHER			(1,446,800)	(1,446,800)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			138,523,100	139,599,100
FEDERAL			(–0–)	(–0–)
OTHER			(138,523,100)	(139,599,100)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			2,024,461,600	2,076,474,500
STATE TOTAL			20,106,382,200	20,744,609,200
GENERAL PURPOSE REVENUES			10,509,730,600	10,948,161,200
PROGRAM REVENUE			6,885,219,500	7,044,587,900
FEDERAL			(4,234,723,100)	(4,339,899,300)
OTHER			(1,903,725,700)	(1,953,747,800)
SERVICE			(746,770,700)	(750,940,800)
SEGREGATED FUNDS			2,711,432,100	2,751,860,100
FEDERAL			(563,127,100)	(573,536,200)
OTHER			(1,938,799,400)	(1,966,921,400)
SERVICE			(145,141,600)	(146,538,500)
LOCAL			(64,364,000)	(64,864,000)

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.* All moneys received for the inspection of fruits and vegetables under ss. 93.06 (1m), 93.09 (10) and 100.03 (3) (a) 1. and 2., to carry out the purposes for which those moneys are received.

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 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 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 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.

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) and (3) for plant protection, including nursery regulation and the detection and control of plant pests.

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 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 194. 20.143 (1) (a) of the statutes is amended to read:

20.143 **(1)** (a) *General program operations.* The amounts in the schedule for general program operations under ~~subchs. I and III to VIII of~~ ch. 560, except for general program operations under s. 560.87.

SECTION 195. 20.143 (1) (br) of the statutes is amended to read:

20.143 **(1)** (br) *Brownfields grant program; general purpose revenue.* The amounts in the schedule for grants under s. 560.13 (2) (a).

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. 560.145, 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). 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). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6g. shall be credited to this appropriation account.

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 200. 20.143 (1) (dr) of the statutes is repealed.

SECTION 201. 20.143 (1) (e) of the statutes is repealed.

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.* All moneys received in repayment of loans under s. 560.138 to be used for grants and loans under s. 560.138.

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. 560.16, 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.* All moneys received in repayment of loans under s. 560.137 to be used for grants and loans under s. 560.137.

SECTION 206. 20.143 (1) (kd) of the statutes is created to read:

20.143 **(1)** (kd) *Brownfields grant program; federal block grant transfer.* All moneys transferred from the appropriation account under s. 20.445 (3) (md) for grants under s. 560.13 (2) (am).

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 and for the grants to Brown County under 1999 Wisconsin Act .... (this act), section 9110 (1). 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~~,~~ and for marketing the program under s. 560.137 ~~and for the grants to Brown County under 1999 Wisconsin Act .... (this act), section 9110 (4)~~. 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 and for marketing the program under s. 560.138. 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 210. 20.143 (1) (L) of the statutes is amended to read:

20.143 **(1)** (L) *Recycling market development; repayments.* All moneys received in repayment of loans awarded by the recycling market development board under s. 287.46 (1) ~~and~~, received under s. 287.46 (3) in repayment of loans made by recipients of financial assistance awarded by the recycling market development board under s. 287.46 (1) and received in repayment of loans under s. 560.835, to be used for recycling market development board contracts under s. 287.42 (3) and (3m) and to provide financial assistance under subch. III of ch. 287.

SECTION 211. 20.143 (1) (L) of the statutes, as affected by 1997 Wisconsin Acts 27 and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

20.143 **(1)** (L) *Recycling market development; repayments.* All moneys received in repayment of loans awarded under s. 287.46 (1), 1995 stats., and s. 560.031, received under s. 287.46 (3), 1995 stats., and s. 560.031 in repayment of loans made by recipients of financial assistance awarded under s. 287.46 (1), 1995 stats., and s. 560.031 and received in repayment of loans under s. 560.835, to be used to provide financial assistance under s. 560.031.

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

20.143 **(1)** (qm) *Brownfields grant program; environmental fund.* From the environmental fund, the amounts in the schedule for grants under s. 560.13 (2) (a).

SECTION 213. 20.143 (1) (s) of the statutes is repealed.

SECTION 214. 20.143 (1) (sm) of the statutes is repealed.

SECTION 215. 20.143 (1) (tm) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed.

SECTION 216. 20.143 (3) (de) of the statutes is amended to read:

20.143 **(3)** (de) ~~*Private*~~ *Small sewage system replacement and rehabilitation.* As a continuing appropriation, the amounts in the schedule for financial assistance

under the ~~private~~ small sewage system replacement and rehabilitation program under s. 145.245.

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) 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), 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.

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 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 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~~ institutions, and 88% of all moneys received by the department's division of banking and the department's division of savings ~~and loan~~ institutions 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 223. 20.145 (1) (c) of the statutes is created to read:

20.145 **(1)** (c) *Grant for small employer health insurance purchasing pools.* The amounts in the schedule for the grant under 1999 Wisconsin Act .... (this act), section 9126 (1).

SECTION 224. 20.145 (1) (c) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

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 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 Educational broadcasting corporation. There is appropriated to the corporation described under s. 39.81 for the following costs:

(1) EDUCATIONAL BROADCASTING. (a) *Initial costs.* The amounts in the schedule for initial administrative costs.

(b) *Operational costs.* The amounts in the schedule for operational costs.

SECTION 229. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.</u>

SECTION 230. 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 that the federal communications commission has approved the transfer of all broadcasting licenses held by the board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.</u>

SECTION 231. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 232. 20.225 (1) (d) of the statutes is amended to read:

20.225 **(1)** (d) *Milwaukee area technical college.* The amounts in the schedule to contract with Milwaukee 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 233. 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. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board and the board of regents of the University of Wisconsin System to the corporation

described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 234. 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). If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 235. 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. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 236. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last

license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 237. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 238. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 239. 20.225 (1) (ka) of the statutes is amended to read:

20.225 **(1)** (ka) *Information technology development projects.* The amounts in the schedule for the purpose of conducting information technology development projects approved under s. 16.971 (5). All moneys transferred from the appropriation account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation

account. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 240. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], no moneys may be encumbered under this paragraph.

SECTION 241. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last

license transferred .... [revisor inserts date], 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 243. 20.235 (1) (fy) (title) of the statutes is repealed and recreated to read:

20.235 **(1) (**fy**)** (title) *Governor's scholarship program.*

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 245. 20.235 (3) (title) of the statutes is repealed and recreated to read:

20.235 **(3)** (title) SCHOOL APPROVAL.

SECTION 246. 20.235 (3) (m) 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 historic site. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4h. shall be credited to this appropriation account.

SECTION 248. 20.245 (4) (y) of the statutes is renumbered 20.245 (2) (y) and amended to read:

20.245 **(2)** (y) *Northern Great Lakes Center; interpretive programming.* From the conservation fund, the amounts in the schedule for interpretative programming at the Northern Great Lakes Center historic site.

SECTION 249. 20.250 (1) (c) of the statutes is repealed.

SECTION 250. 20.250 (1) (d) of the statutes is created to read:

20.250 **(1)** (d) *Tobacco–related illnesses.* The amounts in the schedule for the study and prevention of tobacco–related illnesses.

SECTION 251. 20.255 (1) (fw) of the statutes is created to read:

20.255 **(1)** (fw) *Educational programming.* The amounts in the schedule for contracting with the corporation described under s. 39.81 for educational programming.

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)~~ The amounts in the schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 4. shall be credited to this appropriation account.

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 255. 20.255 (2) (c) of the statutes is created to read:

20.255 **(2)** (c) *Grants for smoking prevention programs.* The amounts in the schedule for grants for smoking prevention programs under s. 115.363.

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 261. 20.255 (2) (ec) of the statutes is amended to read:

20.255 **(2)** (ec) *Aid to Milwaukee public schools; general purpose revenue.* The amounts in the schedule ~~to correct the academic deficiencies of educationally and economically disadvantaged pupils and to achieve a more effective and responsive educational program in~~ for aid to the school district operating under ch. 119~~. In the 1993–94 fiscal year and in each fiscal year thereafter, the amount in the schedule shall~~ under ss. 119.74 and 119.78, to be distributed according to the spending plan under s. 119.80. ~~The department of public instruction may not distribute any funds in the appropriation under this paragraph in the 1993–94 fiscal year or in any fiscal year thereafter until the spending plan for that fiscal year has been approved under s. 119.80.~~

SECTION 262. 20.255 (2) (ed) of the statutes is repealed.

SECTION 263. 20.255 (2) (eh) of the statutes is renumbered 20.255 (2) (kh) and amended to read:

20.255 **(2)** (kh) *Head start supplement.* ~~The amounts in the schedule~~ All moneys transferred from the appropriation account under s. 20.445 (3) (md) for the head start supplement under s. 115.3615.

SECTION 264. 20.255 (2) (fL) of the statutes is created to read:

20.255 **(2)** (fL) *Grants for staff development.* The amounts in the schedule for the grant program for staff development under s. 115.406.

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 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. 119.71, 119.72, 119.75 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.

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 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 274. 20.275 (1) (fs) of the statutes is repealed.

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 279. 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 under s. 20.505 (1) (is) and, prior to July 1, 2002, to make grants to school districts under s. ~~196.218 (4r) (g)~~ 44.73 (6).

SECTION 280. 20.275 (1) (t) (title) of the statutes is amended to read:

20.275 **(1)** (t) (title) *~~Educational telecommunications~~ Telecommunications access ~~support~~; private and technical colleges and ~~public library boards~~ libraries.*

SECTION 281. 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 under s. 20.505 (1) (is) and, prior to July 1, 2002, to make grants to private schools under s. ~~196.218 (4r) (g)~~ 44.73 (6).

SECTION 282. 20.275 (1) (tr) of the statutes is created to read:

20.275 **(1)** (tr) *Institutional assistance support.* Biennially, from the universal service fund, the amounts in the schedule to make support payments to institutions under 1999 Wisconsin Act .... (this act), section 9158 (5). No moneys may be encumbered from this appropriation after June 30, 2001.

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) (is).

SECTION 284. 20.285 (1) (a) of the statutes is amended to read:

20.285 **(1)** (a) *General program operations.* The amounts in the schedule for the purpose of educational programs and related programs, alcohol and other drug abuse prevention and intervention, extension outreach and farm safety program grants. Any transfers between the instruction, research, public service, libraries, learning resources and media, farm operations, student services, auxiliary enterprises, physical plant or general operations and services subprograms shall be reported quarterly to the department of administration. The board of regents may not encumber amounts appropriated under this paragraph for groundwater research without the approval of the secretary of administration.

SECTION 285. 20.285 (1) (b) of the statutes is amended to read:

20.285 **(1)** (b) *Area health education center.* 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.

SECTION 286. 20.285 (1) (eo) of the statutes is repealed.

SECTION 287. 20.285 (1) (fs) of the statutes is repealed.

SECTION 288. 20.285 (1) (fu) of the statutes is created to read:

20.285 **(1)** (fu) *Educational programming.* The amounts in the schedule for contracting with the corporation described under s. 39.81 for educational programming.

SECTION 289. 20.285 (1) (fx) of the statutes is repealed.

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 292. 20.285 (1) (im) of the statutes is amended to read:

20.285 **(1)** (im) *Academic student fees.* ~~Except as provided in sub. (2) (i) 1., the amounts in the schedule~~ Except as provided under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees for degree credit instruction, other than for credit outreach instruction sponsored by the University of Wisconsin–Extension. ~~Except as provided under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees shall be credited to this appropriation.~~

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 Ashland full–scale aquaculture demonstration facility authorized under 1999 Wisconsin Act .... (this act), section 9107 (1) (a) 1., 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 Ashland full–scale aquaculture demonstration facility authorized under 1999 Wisconsin Act .... (this act), section 9107 (1) (a) 1. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11a. shall be credited to this appropriation account.

SECTION 295. 20.285 (2) (i) (title) of the statutes is amended to read:

20.285 **(2)** (i) (title) *Expenditures from ~~program revenue appropriations~~ federal indirect cost reimbursement appropriation*.

SECTION 296. 20.285 (2) (i) 1. of the statutes is repealed.

SECTION 297. 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).

SECTION 298. 20.285 (4) (de) of the statutes is repealed.

SECTION 299. 20.292 (1) (cm) of the statutes is repealed.

SECTION 300. 20.292 (1) (d) of the statutes is amended to read:

20.292 **(1)** (d) *State aid for technical colleges; statewide guide*. 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 301. 20.292 (1) (er) of the statutes is created to read:

20.292 **(1)** (er) *Printing program.* The amounts in the schedule for the printing program grant under 1999 Wisconsin Act .... (this act), section 9147 (1). No moneys may be encumbered from the appropriation under this paragraph after June 30, 2001.

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 303. 20.315 of the statutes is repealed.

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, the amounts in the schedule for private sewage system replacement or rehabilitation loans under s. 145.245 (12m).

SECTION 305. 20.320 (3) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

20.320 **(3)** ~~PRIVATE~~ SMALL SEWAGE SYSTEM PROGRAM. (q) *~~Private~~ Small sewage system loans.* From the environmental improvement fund, the amounts in the schedule for ~~private~~ small sewage system replacement or rehabilitation loans under s. 145.245 (12m).

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 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 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. 23.0917 (2).

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

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

SECTION 311. 20.370 (2) (fq) of the statutes is created to read:

20.370 **(2)** (fq) *Indemnification agreements.* From the environmental fund, a sum sufficient to provide indemnification under agreements under s. 292.70.

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 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 315. 20.370 (3) (au) of the statutes is created to read:

20.370 **(3)** (au) *Natural resources law violation hotline.* All moneys received from gifts, grants and bequests under s. 23.38 (8) to pay rewards to individuals who provide information to the department under the reward program established under s. 23.38 (3).

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

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

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 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 320. 20.370 (5) (cw) of the statutes is created to read:

20.370 **(5)** (cw) *Recreation aid — supplemental snowmobile trail aids.* As a continuing appropriation, from the snowmobile account in the conservation fund an

amount equal to the amount calculated under s. 350.12 (4) (bg) 2. for the purposes specified in s. 350.12 (4) (b).

SECTION 321. 20.370 (5) (ea) of the statutes is renumbered 20.370 (5) (ek) and amended to read:

20.370 **(5)** (ek) *Enforcement aids — spearfishing enforcement.* ~~As a continuing appropriation from~~ From the general fund, the amounts in the schedule to make payments to counties and municipalities under s. 29.947 to reimburse them for certain law enforcement costs associated with spearfishing. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8m. shall be credited to this appropriation account.

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 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).

SECTION 323. 20.370 (6) (ak) of the statutes is created to read:

20.370 **(6)** (ak) *Environmental aids — nonpoint source; Indian gaming.* The amounts in the schedule for nonpoint cost–sharing grants under s. 281.65. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17. shall be credited to this appropriation account.

SECTION 324. 20.370 (6) (ar) of the statutes is amended to read:

20.370 **(6)** (ar) *Environmental aids — lake ~~management~~ and river grants; conservation fund.* From the conservation fund, as a continuing appropriation, the

amounts in the schedule for lake management and classification grants and contracts under s. 281.69 and for river protection grants under s. 281.70.

SECTION 325. 20.370 (6) (au) of the statutes is created to read:

20.370 **(6)** (au) *Environmental aids — lake and river grants; environmental fund.* From the environmental fund, as a continuing appropriation, the amounts in the schedule for lake management and classification grants under s. 281.69 and river protection grants under s. 281.70.

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 332. 20.370 (6) (eq) of the statutes is amended to read:

20.370 **(6)** (eq) *Environmental aids — dry cleaner environmental response.* From the dry cleaner environmental response fund, the amounts in the schedule for financial assistance under ss. 292.65 and 292.66 <u>and to make transfers required under s. 292.65 (11)</u>.

SECTION 333. 20.370 (6) (et) of the statutes is created to read:

20.370 **(6)** (et) *Environmental aids — brownfield site assessment.* From the environmental fund, the amounts in the schedule for brownfield site assessment grants under s. 292.75.

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 335. 20.370 (8) (mg) of the statutes is amended to read:

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

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, issuing and approval list fees.* All moneys received by the department under ~~s.~~ ss. 23.33 (2) (o), 29.242, 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) and for production and other costs for approval lists produced under s. 29.242.

SECTION 340. 20.370 (9) (iq) of the statutes is amended to read:

20.370 **(9)** (iq) *Natural resources magazine.* All moneys received from subscriptions and other revenues generated by Wisconsin natural resources magazine, to be used for its production, handling and distribution and for educational and informational activities concerning conservation and the environment as provided in s. 23.16 (5).

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

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

SECTION 342. 20.380 (1) (b) of the statutes is amended to read:

20.380 **(1)** (b) *Tourism marketing; general purpose revenue.* ~~The~~ Biennially, 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). 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.

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.

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~~ As a continuing appropriation, the amounts in the schedule for specialized transportation capital assistance for the elderly and disabled under s. 85.22.

SECTION 345. 20.395 (1) (hr) of the statutes is amended to read:

20.395 **(1)** (hr) *Tier B transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 7. and 7m.

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; and for the administration of other aeronautical activities, except aircraft registration under s. 114.20, authorized by law.

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; and for the transfers required under 1999 Wisconsin Act .... (this act), section 9250 (1).

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; <u>for the scenic byway program under s. 84.106;</u> 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; <u>for the scenic byway program under s. 84.106;</u> 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 353. 20.395 (4) (ay) of the statutes is created to read:

20.395 **(4)** (ay) *Indirect cost reimbursements, federal funds.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 354. 20.395 (4) (bh) of the statutes is repealed.

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 the transfer under 1999 Wisconsin Act .... (this act), section 9150 (4).

SECTION 359. 20.410 (1) (ac) 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 361. 20.410 (1) (kg) of the statutes is created to read:

20.410 **(1)** (kg) *Crime victim assistance services.* The amounts in the schedule for crime victim assistance services. All moneys transferred from the appropriation account under s. 20.455 (5) (mh) shall be credited to this appropriation account.

SECTION 362. 20.410 (1) (kv) of the statutes is created to read:

20.410 **(1)** (kv) *Information technology.* The amounts in the schedule for the purpose of maintaining, developing and operating information systems. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 7. shall be credited to this appropriation account.

SECTION 363. 20.410 (1) (q) of the statutes is created to read:

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

SECTION 364. 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)~~ (b), the unencumbered balance of this appropriation ~~account~~ on June 30 of ~~each~~ the 2nd fiscal year of each fiscal biennium 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 366. 20.410 (3) (ho) of the statutes is amended to read:

20.410 **(3)** (ho) *Juvenile residential aftercare.* The amounts in the schedule for providing foster care, treatment foster care, group home care, including secured group home care, and institutional child care to delinquent juveniles under ss. 49.19

(10) (d), 938.48 (4) and (14) and 938.52. All moneys transferred under s. 301.26 (4) (cm) and all moneys received in payment for providing foster care, treatment foster care, group home care, including secured group home care, and institutional child care to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14) and 938.52 as specified in s. 301.26 (4) (e) and (ed) shall be credited to this appropriation account. If moneys generated by the daily rate exceed actual fiscal year foster care, treatment foster care, group home care, including secured group home care, and institutional child care costs by 2% or more, all moneys in excess of 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 in foster care, treatment foster care, group home care, including secured group home care, or institutional child care. 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 368. 20.425 (1) (h) of the statutes is amended to read:

20.425 **(1)** (h) *Collective bargaining training.* 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, and from fees paid under ss. 111.09 (2m), 111.71 (2m) and 111.94 (2m), for the cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3).

SECTION 369. 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) and as fees under s. 341.14 (6r) (b) 6., less the amounts appropriated under par. (r), to carry out the purposes for which made and received under s. 48.982 (2m) (a).

SECTION 370. 20.434 (1) (b) of the statutes is repealed.

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~~ and (10) (a) 2. and 3., 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 <u>and for services of resource centers under s. 46.283</u>.

SECTION 385. 20.435 (1) (t) of the statutes is created to read:

20.435 **(1)** (t) *Statewide trauma care system.* From the transportation fund, the amounts in the schedule for the statewide trauma care system under s. 146.56.

SECTION 386. 20.435 (1) (u) of the statutes is renumbered 20.435 (4) (u).

SECTION 387. 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. 971.17 (3) (d) or (4) (e), 980.06 (2) ~~(c)~~ <u>(cr)</u> or 980.08 (5) <u>(d)</u>, 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 388. 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) or (ct) 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 391. 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 contracting with private adoption agencies to provide adoption services for children with special needs who are under the guardianship of the department.

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.* The amounts in the schedule for the brighter futures initiative under s. 46.99.

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 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 399. 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 contracting with private adoption agencies to provide adoption services for children with special needs who are under the guardianship of the department. 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 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 417. 20.435 (5) (af) of the statutes is renumbered 20.435 (4) (af).

SECTION 418. 20.435 (5) (ah) of the statutes is renumbered 20.435 (4) (ah).

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 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 424. 20.435 (5) (cb) of the statutes is amended to read:

20.435 **(5)** (cb) ~~*Women's health*~~ *Health services for women and infants*. The amounts in the schedule for health screening for low–income women under s. 255.075~~,~~ ; for conduct of a women's health campaign under 1997 Wisconsin Act 27, section 9123 (6) (a) ~~and~~ ; for women's health projects under 1997 Wisconsin Act 27, section 9123 (6) (b) and (6m); for grants for pregnancy counseling under s. 253.08; for outreach to low–income pregnant women under s. 253.085 (1); for maternal and infant health projects under s. 253.085 (2); and for family planning services under s. 253.07. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds distributed by the department under s. 253.07 (2) (b) and (4) 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 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.* 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~~ s. 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 429. 20.435 (5) (eg) of the statutes is repealed.

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 431. 20.435 (5) (ev) of the statutes is repealed.

SECTION 432. 20.435 (5) (f) of the statutes is repealed.

SECTION 433. 20.435 (5) (gh) of the statutes is renumbered 20.435 (4) (gh).

SECTION 434. 20.435 (5) (im) of the statutes is renumbered 20.435 (4) (im).

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 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 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~~ All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18c. shall be credited to this appropriation account.

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. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18d. shall be credited to this appropriation account.

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 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 460. 20.445 (1) (gd) of the statutes, as affected by 1997 Wisconsin Act 252, section 23, is amended to read:

20.445 **(1)** (gd) *Unemployment interest and penalty payments.* From the moneys received as interest and penalties collected under ss. 108.04 (11) (c) and 108.22, assessments under s. 108.19 (1m) and forfeitures under s. 103.05 (5), all moneys not appropriated under. pars. (ge), (gf) and (gg) and all moneys transferred to this appropriation account from the appropriation account under par. (gh) for the payment of benefits specified in s. 108.07 (5) and 1987 Wisconsin Act 38, section 132 (1) (c), for the payment of interest to employers under s. 108.17 (3m), for the payment of interest due on advances from the federal unemployment account under title XII of the social security act to the unemployment reserve fund, and for payments made to the unemployment reserve fund to obtain a lower interest rate or deferral of interest payments on these advances, except as otherwise provided in s. 108.20. The secretary of administration shall transfer $300,000 in each fiscal year from this appropriation account to the appropriation account under sub. (7) (k).

SECTION 461. 20.445 (1) (kb) of the statutes is renumbered 20.445 (7) (kb).

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 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~~,~~ <u>and</u> 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 and badger care eligibility ~~determination~~ determinations and 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;~~ 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 467. 20.445 (3) (dz) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.445 **(3)** (dz) *Wisconsin works and other public assistance administration and benefits.* The amounts in the schedule for administration and benefit payments under Wisconsin works under ss. 49.141 to 49.161, 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; for payment distribution under s. 49.33 (8) for county administration of public assistance benefits and medical assistance and badger care

eligibility determinations and 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); 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), from fees collected under s. 767.29 (1) (dm) 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 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, for county child support order revision programs under s. 49.23 (1), for state incentive payments under s. 49.23 (2) and for assistance to counties in establishing paternity and obtaining child support.

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 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), 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 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), 20.512 (1) (kg) and 20.525 (1) (kb). 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 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 for aids to individuals or organizations and to be transferred to the appropriation accounts under sub. (7) (kc) and ss. 20.143 (1) (kd), 20.255 (2) (kh) and (kp), 20.434 (1) (ky), 20.435 (3) (kc), (kd) and (ky), (5) (ky), (7) (kw) and (ky) and (8) (kx) and 20.465 (4) (k). 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)~~ 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 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).

(c) *Technical college study grants.* The amounts in the schedule for study grants to technical college district school students under s. 106.13 (4g).

(k) *Career counseling center grants.* The amounts in the schedule for the payment of career counseling center grants under s. 106.14. All moneys transferred from the appropriation account under sub. (1) (gd) shall be credited to this appropriation account.

(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 479. 20.455 (1) (kc) of the statutes is created to read:

20.455 **(1)** (kc) *Indian law legal services.* The amounts in the schedule for the provision of Indian law legal services. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13m. shall be credited to this appropriation account.

SECTION 480. 20.455 (1) (km) of the statutes is amended to read:

20.455 **(1)** (km) *Interagency and intra–agency assistance.* The amounts in the schedule to provide legal services to state agencies. All moneys received from the department or from any other state agency ~~for legal services~~ under s. 165.25 (6) (f) shall be credited to this appropriation.

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 485. 20.455 (2) (i) of the statutes is repealed.

SECTION 486. 20.455 (2) (j) of the statutes is renumbered 20.455 (2) (kp) and amended to read:

20.455 **(2)** (kp) *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)~~ the appropriation account under s. 20.505 (6) (j) 1. shall be credited to this appropriation account.

SECTION 487. 20.455 (2) (ja) of the statutes is renumbered 20.455 (2) (kq) and amended to read:

20.455 **(2)** (kq) *Law enforcement training fund, state operations.* The amounts in the schedule to finance ~~state operations associated with~~ the administration of the law enforcement training fund and to finance training for state law enforcement personnel, as provided in s. 165.85 (5) (b). All moneys transferred from ~~par. (i)~~ the appropriation account under s. 20.505 (6) (j) 2. shall be credited to this appropriation account.

SECTION 488. 20.455 (2) (jb) of the statutes is renumbered 20.455 (2) (kr) and amended to read:

20.455 **(2)** (kr) *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)~~ the appropriation account under s. 20.505 (6) (j) 10. shall be credited to this appropriation account.

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.

SECTION 491. 20.455 (5) (gc) of the statutes is amended to read:

20.455 **(5)** (gc) *Crime victim and witness surcharge~~,~~; sexual assault victim services and reimbursement to counties.* All moneys received from part B of crime victim and witness assistance surcharges authorized under s. 973.045 (3) (a) 2. to provide grants for sexual assault victim services under s. 165.93 and to provide reimbursement to counties under s. 950.06 (2).

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 496. 20.455 (5) (mh) of the statutes is amended to read:

20.455 **(5)** (mh) *Federal aid; victim assistance.* All moneys received from the federal government for crime victim assistance, as authorized by the governor under s. 16.54, to carry out the purposes for which made and received, and to transfer to the appropriation account under s. 20.410 (1) (kg) the amounts in the schedule under s. 20.410 (1) (kg).

SECTION 497. 20.465 (4) (b) 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 499. 20.485 (1) (gm) 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 project 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 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 502. 20.485 (2) (mg) of the statutes is created to read:

20.485 **(2)** (mg) *Federal aid; veterans training*. All moneys received from the federal government for the purpose of veterans training as authorized by the governor under s. 16.54.

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 505. 20.490 (5) (kp) of the statutes is created to read:

20.490 **(5)** (kp) *Indian gaming transfer to Wisconsin development reserve fund.* All moneys transferred from the appropriation account under s 20.505 (8) (hm) 6p. to be transferred to the Wisconsin development reserve fund under s. 234.93 for guarantees under s. 234.83 (4) (am) and interest subsidies under s. 234.83 (5).

SECTION 506. 20.490 (7) of the statutes is created to read:

20.490 **(7)** BIOTECHNOLOGY DEVELOPMENT FINANCE COMPANY. (a) *Start–up capital and administrative expenses.* Biennially, the amounts in the schedule to be transferred to the biotechnology development finance company under s. 234.64 for start–up capital and for reasonable administrative expenses of the biotechnology development finance company.

SECTION 507. 20.490 (7) of the statutes, as created by 1999 Wisconsin Act .... (this act), 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 <u>and prosecution</u> 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 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 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) *Computer–based land information system*. From the moneys received by the land information board under s. 59.72 (5) (a), the amounts in the schedule to be transferred to the department.

SECTION 514. 20.505 (1) (ik) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 515. 20.505 (1) (ip) of the statutes is created to read:

20.505 **(1)** (ip) *Master lease payments*. All moneys received from municipalities with respect to property or services obtained under master leases as provided in s. 16.76 (4), to be applied to make the payments required under the related master leases.

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 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 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)~~ (kc) to (kt) and subs. (2) (k) and (5) (ka), ~~and~~ to repurchase inventory items sold primarily to state agencies or such districts, to provide for the general program operations of the public records board and to transfer the amounts appropriated under s. 20.585 (1) (kb) to the appropriation account under s. 20.585 (1) (kb). 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)~~ (kc) to (kt) 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)~~ (kc) to (kt) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts, to provide for the general program operations of the public records board and to transfer the amounts appropriated under s. 20.585 (1) (kb) to the appropriation account under s. 20.585 (1) (kb). 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)~~ (kc) to (kt) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

SECTION 520. 20.505 (1) (kb) of the statutes is repealed.

SECTION 521. 20.505 (1) (kd) of the statutes is repealed.

SECTION 522. 20.505 (1) (kf) of the statutes is created to read:

20.505 (1) (kf) *Land information system services.* All moneys transferred from the appropriation account under par. (ik), to be used for the development and maintenance of a computer–based Wisconsin land information system under s. 16.966 (3).

SECTION 523. 20.505 (1) (kf) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 524. 20.505 (1) (kj) of the statutes 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 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) *Soil survey and mapping; state agency support.* All moneys received from assessments levied against state agencies under s. 16.966 (5) to conduct soil surveys and soil mapping activities.

SECTION 528. 20.505 (1) (qm) of the statutes is repealed.

SECTION 529. 20.505 (1) (z) of the statutes is created to read:

20.505 **(1)** (z) *Planning grants to local governmental units.* From the transportation fund, the amounts in the schedule to provide planning grants to local governmental units under s. 16.952. 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 <u>by the women's council or</u> 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 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~~ <u>46.78</u>, to carry out the purpose for which made and received.

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 536. 20.505 (5) (d) of the statutes is created to read:

20.505 **(5)** (d) *Former educational communications board principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs that are not paid under par. (h) and 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. No moneys may be encumbered under this paragraph unless the secretary of administration first determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81.

SECTION 537. 20.505 (5) (h) of the statutes is created to read:

20.505 **(5)** (h) *Lease payments for educational broadcasting facilities.* All lease payments for state–owned educational broadcasting facilities and equipment received from the corporation described under s. 39.81 for the purpose of reimbursing 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.

SECTION 538. 20.505 (5) (i) of the statutes is created to read:

20.505 **(5)** (i) *Emergency weather warning system operation.* The amounts in the schedule for the operation of the emergency weather warning system under s. 16.25. All moneys received for the provision of state telecommunications and data processing services and sale of telecommunications and data processing inventory items primarily to state agencies shall be credited to this appropriation account. No moneys may be encumbered under this paragraph unless the secretary of administration first determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81.

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)~~ <u>The amounts in the schedule</u> 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 on court fines and forfeitures and all moneys transferred under 1999 Wisconsin Act .... (this act), sections 9230 (1) and (2), 9238 (1) and 9239 (1) and (2), for the purpose of transferring the following amounts to the following appropriation accounts:

1. The amount transferred to s. 20.455 (2) (kp) shall be the amount in the schedule under s. 20.455 (2) (kp).

2. The amount transferred to s. 20.455 (2) (kq) shall be the amount in the schedule under s. 20.455 (2) (kq).

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).

6. The amount transferred to s. 20.410 (1) (kp) shall be the amount in the schedule under s. 20.410 (1) (kp).

7. The amount transferred to s. 20.410 (1) (kv) shall be the amount in the schedule under s. 20.410 (1) (kv).

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).

10. The amount transferred to s. 20.455 (2) (kr) shall be of the amount in the schedule under s. 20.455 (2) (kr).

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. (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).

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 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). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15. shall be credited to this appropriation account.

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~~ <u>From the moneys received under s. 569.06, the</u> 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 $2,000,000.

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) 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 560. 20.505 (8) (hm) 6p. of the statutes is created to read:

20.505 **(8)** (hm) 6p. The amount transferred to s. 20.490 (5) (kp) shall be $2,500,000.

SECTION 561. 20.505 (8) (hm) 6p. of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

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 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 567. 20.505 (8) (hm) 8m. of the statutes is created to read:

20.505 **(8)** (hm) 8m. The amount transferred to s. 20.370 (5) (ek) shall be the amount in the schedule under s. 20.370 (5) (ek).

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 573. 20.505 (8) (hm) 13m. of the statutes is created to read:

20.505 **(8)** (hm) 13m. The amount transferred to s. 20.455 (1) (kc) shall be the amount in the schedule under s. 20.455 (1) (kc).

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 s. 20.505 (6) (ks) shall be the amount in the schedule under s. 20.505 (6) (ks).

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 578. 20.505 (8) (hm) 17. of the statutes is created to read:

20.505 **(8)** (hm) 17. The amount transferred to s. 20.370 (6) (ak) shall be the amount in the schedule under s. 20.370 (6) (ak).

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 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 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 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 591. 20.512 (1) (kg) of the statutes is created to read:

20.512 **(1)** (kg) *Interagency projects; state operations.* The amounts in the schedule to be expended in conformity with the purposes and requirements agreed to by the department. All moneys received from state agencies shall be credited to this appropriation account.

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 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 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 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 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 598. 20.585 (1) (kb) of the statutes is amended to read:

20.585 **(1)** (kb) *General program operations.* From moneys transferred from the appropriation account under s. 20.505 (1) ~~(kj)~~ (ka), the amounts in the schedule for the custody of state funds.

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 602. 20.680 (1) (km) of the statutes is repealed.

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 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.

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 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 607. 20.765 (3) (km) of the statutes is created to read:

20.765 **(3)** (km) *Computer networking.* All moneys received by the legislative technology services bureau from state agencies under s. 13.96 (3) for the installation and servicing of computer networking equipment, to be used for the purchase and installation of such equipment and to provide related maintenance and support services.

SECTION 608. 20.835 (2) (dm) of the statutes is amended to read:

20.835 **(2)** (dm) *Farmland preservation credit.* A sum sufficient to pay the aggregate claims of the farmland preservation credit approved under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60.

SECTION 609. 20.835 (2) (dp) of the statutes is created to read:

20.835 **(2)** (dp) *Farmland preservation acreage credit.* A sum sufficient to pay the aggregate claims of the farmland preservation acreage credit approved under ss. 71.59 and 71.605.

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 claims approved under s. 71.07 (9e)~~, except the claims paid under par. (k)~~.

SECTION 612. 20.835 (2) (k) of the statutes, as created by 1997 Wisconsin Act 27, is repealed.

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 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), (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), (ba), (ca), (cb), (cc), (cd), (ce), (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~~, (h) and (kc) and 20.867 (1) (a) and (b) and (3) (a), (b), (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 629. 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~~ $441,248,600 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 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 631. 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. 281.16 (5) and 281.65. The state may contract public debt in an amount not to exceed ~~$34,363,600~~ $48,763,600 for this purpose. Of this amount, ~~$2,000,000~~ $4,000,000 may only be used for projects selected under s. 281.65 (4c) (c) after July 1, 1998.

SECTION 632. 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~~ $4,000,000 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 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 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 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 638. 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 department of administration to acquire, construct, develop, enlarge or improve educational communications facilities. Unless the secretary of administration first determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, 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 .... [revisor inserts date], the state may, for the purpose of this appropriation, contract public debt in an amount not to exceed $8,354,100 less any amount contracted on behalf of the former educational communications board before the effective date of the last license transferred .... [revisor inserts date].

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 641. 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 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], the state may not contract public debt under this paragraph.

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~~ $1,918,000,000 for this purpose.

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 644. 20.903 (2) (b) of the statutes is amended to read:

20.903 **(2)** (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka)~~, (kb),~~ and (kc) ~~and (kd)~~ in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka)~~, (kb),~~ and (kc) ~~and (kd)~~. The secretary of administration may require such statements of assets and

liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account.

SECTION 645. 20.912 (4) of the statutes is amended to read:

20.912 **(4)** INSOLVENT DEPOSITORIES. When the bank, savings and loan association, savings bank or credit union on which any check, share draft or other draft is drawn by the state treasurer before payment of such check, share draft or other draft becomes insolvent or is taken over by the division of banking, division of savings ~~and loan~~ institutions, the federal home loan bank board, the U.S. office of thrift supervision, the federal deposit insurance corporation, the resolution trust corporation, the office of credit unions, the administrator of federal credit unions or the U.S. comptroller of the currency, the state treasurer shall on the demand of the person in whose favor such check, share draft or other draft was drawn and upon the return to the treasurer of such check, share draft or other draft issue a replacement for the same amount.

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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this subdivision does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

SECTION 648. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this paragraph does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

SECTION 649. 20.923 (17) of the statutes is repealed.

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 or family care district under s. 46.2895 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, ~~46.995, 46.997~~ 46.99, 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 654. 21.11 (1) of the statutes is amended to read:

21.11 **(1)** In case of war, insurrection, rebellion, riot, invasion~~,~~ or resistance to the execution of the laws of this state~~,~~ or of the United States~~, or;~~ in the event of public disaster resulting from flood, conflagration or tornado~~,~~; when the governor considers the call to active service necessary for the protection of persons or property; or upon application of any marshal of the United States, the president of any village, the mayor of any city, the chairperson of any town board, or any sheriff in this state, the governor may order into active service all or any portion of the national guard. If the governor is absent, or cannot be immediately communicated with, any such civil officer may, if the officer deems the occasion so urgent, make such application, which shall be in writing, to the commanding officers of any company, battalion or regiment, who may upon approval of the adjutant general, if the danger is great and imminent, order out that officer's command to the aid of such civil officer. Such order shall be delivered to the commanding officer, who shall immediately communicate the order to each, and every subordinate officer, and every company commander receiving the same shall immediately communicate the substance thereof to each member of the company, or if any such member cannot be found, a notice in writing containing the substance of such order shall be left at the last and usual place of residence of such

member with some person of suitable age and discretion, to whom its contents shall be explained.

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 who are members of families 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 657. 23.09 (2) (d) (intro.) of the statutes is amended to read:

23.09 **(2)** (d) *Lands, acquisition.* (intro.) Acquire by purchase, lease or agreement, and receive by gifts or devise, lands or waters suitable for the purposes enumerated in this paragraph, and maintain such lands and waters for such purposes~~; and may condemn lands or waters suitable for such purposes after obtaining approval of the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof~~:

SECTION 658. 23.09 (2) (d) 3m. of the statutes is created to read:

23.09 **(2)** (d) 3m. For state natural resources areas.

SECTION 659. 23.09 (2) (d) 8. of the statutes is amended to read:

23.09 **(2)** (d) 8. For state natural areas as authorized under s. 23.27 (4) and for state natural areas as authorized under s. 23.27 (5) ~~except that land may not be acquired through condemnation under the authority of s. 23.27 (5)~~.

SECTION 660. 23.09 (2p) (a) of the statutes is amended to read:

23.09 **(2p)** (a) The department shall determine the value of land donated to the department that is within the project boundaries of a state park, a state forest ~~or~~, a state recreation area <u>or a state natural resources area</u>. If the donation 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 before the transfer. If the donation is a dedication transferring 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 donation involves a sale of land to the department at less than the fair market value, the valuation of the donation shall be based on the difference between the purchase price and the fair market value.

SECTION 661. 23.09 (26) (am) 2. of the statutes is amended to read:

23.09 **(26)** (am) 2. Enter into agreements with the department to use for snowmobile trails, facilities or areas lands owned or leased by the department. ~~No lands of the department to be used for snowmobiling purposes within the meaning of this subsection may be obtained through condemnation.~~

SECTION 662. 23.0912 of the statutes is created to read:

23.0912 State natural resources areas. The department may designate, acquire, develop, operate and maintain state natural resources areas for the purpose of conserving the state's natural resources. The department may allow various

resource management and recreational uses within the boundaries of these areas. The recreational uses may include hunting and fishing.

SECTION 663. 23.0915 (2t) of the statutes is created to read:

23.0915 **(2t)** STATE PARK FOR THE CITY OF MILWAUKEE. (a) Subject to par. (b), from the appropriation under s. 20.866 (2) (tz), the department shall expend the moneys necessary for all of the following for a state park which will provide access to Lake Michigan from the city of Milwaukee:

1. Studies and plans for the establishment and development of the state park.

2. Development of the state park.

(b) The department may not expend more than $500,000 for the study and plan under par. (a).

(c) For purposes of sub. (1), moneys expended under par. (a) shall be treated as moneys expended for general property development.

SECTION 664. 23.0917 of the statutes is created to read:

23.0917 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 665. 23.094 (2) (c) 3. of the statutes is repealed.

SECTION 666. 23.14 of the statutes is amended to read:

23.14 Approval required before new lands acquired. Prior to the initial acquisition of any lands by the department after July 1, 1977, for any new facility or project, the proposed initial acquisition shall be submitted to the governor for his or her approval. New facilities or projects include, without limitation because of enumeration, state parks, state forests, state natural resources areas, recreation areas, public shooting, trapping or fishing grounds or waters, fish hatcheries, game farms, forest nurseries, experimental stations, endangered species preservation areas, picnic and camping grounds, hiking trails, cross–country ski trails, bridle trails, nature trails, bicycle trails, snowmobile trails, youth camps, land in the lower Wisconsin state riverway as defined in s. 30.40 (15), natural areas and wild rivers.

SECTION 667. 23.15 (4) of the statutes is amended to read:

23.15 **(4)** Said natural resources board effecting the sale of any such lands and structures shall, upon receiving payment therefor, deposit the funds in the conservation fund to be used exclusively for the purpose of purchasing other areas of land for the creating and establishing of public hunting and fishing grounds, state natural resources areas, wildlife and fish refuges and state parks and for land in the lower Wisconsin state riverway as defined in s. 30.40 (15).

SECTION 668. 23.16 (3) of the statutes is renumbered 23.16 (3) (intro.) and amended to read:

23.16 **(3)** SUBSCRIBER LISTS. (intro.) The department may refuse to reveal names and addresses of persons on any magazine or periodical subscriber list. The department may charge a fee to recover the actual costs for providing or for the use of any magazine or periodical subscriber list. No person who obtains or uses any magazine or periodical subscriber list from the department may refer to the department, the magazine or the periodical as the source of names or addresses

unless the person clearly ~~indicates~~ states that the provision of, or permission to use, the subscriber list in no way indicates ~~the~~ any of the following:

(a) The department's ~~knowledge,~~ involvement~~, approval, authorization~~ or connection with the person or the person's activities.

SECTION 669. 23.16 (3) (b) of the statutes is created to read:

23.16 **(3)** (b) The department's knowledge, approval or authorization of the person's activities.

SECTION 670. 23.165 (4) of the statutes is renumbered 23.165 (4) (intro.) and amended to read:

23.165 **(4)** SUBSCRIBER LISTS. (intro.) Notwithstanding s. 19.35, the department may refuse to reveal names and addresses of persons on any publication subscriber list. The department may charge a fee to recover the actual costs for providing or for the use of a publication subscriber list. No person who obtains or uses a publication subscriber list from the department may refer to the department or the publication as the source of names or addresses unless the person clearly ~~indicates~~ states that the provision of, or permission to use, the subscriber list in no way indicates ~~the~~ any of the following:

(a) The department's ~~knowledge,~~ involvement~~, approval, authorization~~ or connection with the person or the person's activities.

SECTION 671. 23.165 (4) (b) of the statutes is created to read:

23.165 **(4)** (b) The department's knowledge, approval or authorization of the person's activities.

SECTION 672. 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) (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) (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 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 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 683. 23.38 (1) of the statutes is amended to read:

23.38 **(1)** The department shall maintain a toll–free telephone number ~~at department headquarters~~ to receive reports of violations of any statute ~~or~~, administrative rule ~~that the department enforces or administers~~ or ordinance enumerated in s. 23.50 (1) or 29.921 (1). The department shall relay these reports to the appropriate warden ~~or officer~~ for investigation and enforcement action. The department shall publicize the toll–free telephone number as widely as possible in the state.

SECTION 684. 23.38 (3) to (8) of the statutes are created to read:

23.38 **(3)** The department shall establish and administer a program to pay rewards to individuals who provide information to the department under sub. (1) or by other means concerning the violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1) or 29.921 (1). Under the program, the department may offer and pay rewards from the appropriation under s. 20.370 (3) (au) to informants who provide information that results in a finding by a court that a violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1) or 29.921 (1) was committed.

(4) If an informant claims a reward, the natural resources board shall evaluate the claim to determine if the department will pay a reward and, subject to sub. (6), the amount of the reward. The board may apportion a reward among 2 or more individuals. The offer of a reward under sub. (3) does not create any liability on the department, the natural resources board or the state.

(5) If a report made under this section leads to a finding by a court that a violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1) or 29.921 (1) was committed by the person about whom the report was made, the court may order that person to reimburse the department in an amount equal to any reward paid under sub. (3) or in any other amount determined by the court.

(6) The department may not, without the consent of the governor, pay a reward under sub. (3) that exceeds $1,000 for each violation committed by any one person.

(7) The department may withhold any record under this section from inspection or copying under s. 19.35.

(8) The department may solicit gifts, grants and bequests to support the reward program under this section.

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, <u>violations specified under s. 285.86,</u> 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 administrative services provided by the department of administration and other state agencies to the board.

SECTION 692. 24.66 (3) (b) of the statutes is amended to read:

24.66 **(3)** (b) *For long–term loans by unified school districts.* Every application for a loan, the required repayment of which exceeds 10 years, shall be approved and authorized for a unified school district by a majority vote of the members of the school board at a regular or special meeting of the school board. Every vote so required shall be by ayes and noes duly recorded. In addition, the application shall be approved for a unified school district by a majority vote of the electors of the school district at a ~~special election~~ referendum as provided under sub. (4) (b).

SECTION 693. 24.66 (4) of the statutes is renumbered 24.66 (4) (a) and amended to read:

24.66 **(4)** (a) If any municipality other than a school district is not empowered by law to incur indebtedness for a particular purpose without first submitting the question to its electors, the application for a state trust fund loan for that purpose must be approved and authorized by a majority vote of the electors at a special

election called, noticed and held in the manner provided for other special elections. The notice of the election shall state the amount of the proposed loan and the purpose for which it will be used.

SECTION 694. 24.66 (4) (b) of the statutes is created to read:

24.66 **(4)** (b) If any school district is not empowered by law to incur indebtedness for a particular purpose without first submitting the question to its electors, the application for a state trust fund loan for that purpose must be approved and authorized by a majority vote of the electors at the next regularly scheduled spring election or general election that occurs not sooner than 45 days after the adoption of the resolution under sub. (5) or at a special election held on the Tuesday after the first Monday in November in an odd–numbered year if that date occurs not sooner than 45 days after the adoption of the resolution under sub. (5). The referendum shall be called, noticed and held in the manner provided for other referenda. The notice of the referendum shall state the amount of the proposed loan and the purpose for which it will be used.

SECTION 695. 25.156 (6) (intro.) of the statutes is amended to read:

25.156 **(6)** (intro.) The investment board may provide a plan of bonus compensation for the executive director, internal auditor, employes appointed by the internal auditor who are appointed in the unclassified service and other employes of the board who are appointed in the unclassified service, other than employes eligible for the plan of bonus compensation provided under sub. (6m), whereby the employes may qualify for an annual bonus for meritorious performance. No such bonuses awarded by the board for any fiscal year may exceed a total of 10% of the total annualized salaries of all unclassified employes ~~of the board~~, other than employes eligible for the plan of bonus compensation provided under sub. (6m), at the

beginning of the fiscal year. No bonus awarded by the board to any individual employe for any fiscal year may exceed a total of 25% of the annual salary of the employe at the beginning of the fiscal year. In awarding bonus compensation for a given period, the board shall consider the performance of funds similar to those for which it has managing authority and market indices for the same period. The board shall provide for a portion of the bonus compensation awarded under this subsection to be distributed to an employe over a 3–year period conditioned upon continuation of employment to the time of distribution, except as provided in sub. (7). Bonus compensation may only be awarded under this subsection pursuant to a plan adopted by the board that specifies all of the following:

SECTION 696. 25.156 (6m) of the statutes is created to read:

25.156 **(6m)** (a) The investment board may provide a plan of bonus compensation for employes of the board who are appointed in the unclassified service and who are investment professionals, as determined by the secretary of administration under par. (b), whereby the employes may qualify for an annual bonus for meritorious performance. No such bonuses awarded by the board for any fiscal year may exceed a total of 25% of the total annualized salaries of all employes who are investment professionals, as determined by the secretary of administration under par. (b), at the beginning of the fiscal year. No bonus awarded by the board to any individual employe for any fiscal year may exceed a total of 50% of the annual salary of the employe at the beginning of the fiscal year. In awarding bonus compensation for a given period, the board shall consider the performance of funds similar to those for which it has managing authority and market indices for the same period. Bonus compensation may only be awarded under this subsection pursuant to a plan adopted by the board that specifies all of the following:

1. The conditions under which bonus compensation will be awarded.

2. The percentage of the total available bonus compensation that will be awarded based upon beneficial investment performance and the percentage of such compensation that will be awarded based upon other meritorious performance.

3. The specific criteria that will be employed in considering whether to award bonus compensation to a particular employe.

(b) Annually, no later than June 30, the secretary of administration shall determine which employes of the board are investment professionals and eligible for the plan of bonus compensation provided under par. (a) for the succeeding fiscal year and shall report this determination to the board.

SECTION 697. 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) <u>and (6m)</u>.

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 699. 25.17 (70) (a) of the statutes is amended to read:

25.17 **(70)** (a) No later than June 30 of every odd–numbered year, after ~~receiving a report from the department of commerce under s. 560.08 (2) (m) and in consultation~~ <u>consulting</u> with the department of commerce, submit to the governor and to the presiding officer of each house of the legislature a plan for making investments in this state. The purpose of the plan is to encourage the board to make

the maximum amount of investments in this state, subject to s. 25.15 and consistent with the statutory purpose of each trust or fund managed by the board.

SECTION 700. 25.17 (70) (b) 1. of the statutes is amended to read:

25.17 **(70)** (b) 1. A report ~~from the department of commerce under s. 560.08 (2) (m)~~ describing the types of investments in businesses in this state which will have the greatest likelihood of enhancing economic development in this state.

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%~~ 25% of the total assets of the fixed retirement investment trust or ~~15%~~ 25% 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 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), 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 705. 25.40 (2) (b) 15m. of the statutes is created to read:

25.40 **(2)** (b) 15m. Section 20.435 (1) (t).

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 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, 281.60, 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 709. 25.46 (5c) of the statutes is amended to read:

25.46 **(5c)** The moneys collected under s. 145.19 ~~(6)~~ (9) for environmental management.

SECTION 710. 25.46 (11) of the statutes is created to read:

25.46 **(11)** The moneys collected under s. 292.75 (8).

SECTION 711. 25.46 (12) of the statutes is created to read:

25.46 **(12)** The funds transferred under s. 292.65 (11).

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 714. 25.47 (1m) of the statutes is created to read:

25.47 **(1m)** Any fees imposed under s. 101.143 (2) (i).

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 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 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 719. 26.145 (4) of the statutes is repealed.

SECTION 720. 27.01 (2) (a) of the statutes is amended to read:

27.01 **(2)** (a) Acquire by purchase, lease or agreement lands or waters suitable for state park purposes ~~and may acquire such lands and waters by condemnation~~

~~after obtaining approval of the senate and assembly committees on natural resources~~.

SECTION 721. 28.02 (2) of the statutes is amended to read:

28.02 **(2)** ACQUISITION. The department may acquire lands or interest in lands by grant, devise, gift~~, condemnation~~ or purchase within the boundaries of established state forests or purchase areas; and outside of such boundaries for forest nurseries, tracts for forestry research or demonstration and for forest protection structures, or for access to such properties. ~~In the case of condemnation the department shall first obtain approval from the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof.~~

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. <u>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.</u>

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 (am) 2. and 3.

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 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 730. 29.242 of the statutes is created to read:

29.242 Release of information regarding license holders; sale of approval lists. (1) DEFINITIONS. In this section:

(a) "Approval holder" means a person who has been issued an approval under this chapter.

(b) "Demographic information" includes age and gender.

(c) "Other identifying information" means information collected by the department for issuing approvals under this chapter and includes a person's telephone number, driver's license number and identification number given by the department to that person for the purpose issuing approvals.

(2) NAMES; ADDRESSES; APPROVAL LISTS. (a) Except as provided in par. (b), the department may reveal the names and addresses and demographic information of approval holders. The department may produce and charge a fee for lists of the names, addresses and demographic information of these approval holders.

(b) Notwithstanding s. 19.35, the department may not reveal any of the following:

1. The name, address or demographic information of an approval holder upon the request of the approval holder.

2. The name, address or demographic information of a person under the age of 18.

(3) OTHER IDENTIFYING INFORMATION. Notwithstanding s. 19.35, the department may not reveal other identifying information of any approval holder.

(4) FEES. Notwithstanding ss. 20.908 and 35.78 (2), any fee charged by the department under sub. (2) shall be at least equal to the amount necessary to cover the actual costs of producing, collecting, storing, handling and distributing the lists.

(5) DISCLAIMERS. No person who obtains or uses information provided by the department under sub. (2) may refer to the department as the source of the information unless the person clearly states that the provision of, or the permission to use, the information in no way indicates any of the following:

(a) The department's involvement or connection with the person or the person's activities.

(b) The department's knowledge, approval or authorization of the person's activities.

(6) USE OF MONEYS. Any fees collected under sub. (4) shall be deposited in the conservation fund and credited to the appropriation account under s. 20.370 (9) (hu).

(7) REPORT TO LEGISLATURE. The department shall annually submit a report concerning the activities, receipts and disbursements under this section for fiscal year 1999–2000, and each fiscal year thereafter, to the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 731. 29.354 (1) of the statutes is amended to read:

29.354 **(1)** APPROVAL NECESSARY. No person~~, except a person who has a valid hunting license, sports license, conservation patron license, taxidermist permit or scientific collector permit and who is carrying this approval on his or her person,~~ may possess or have under his or her control any game bird, animal or the carcass of any game bird or animal <u>unless the person is authorized to do so under s. 29.615 or unless</u>

the person has a valid hunting license, sports license, conservation patron license, taxidermist permit, or scientific collector permit.

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~~ higher educational aids board under s. 39.51.

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 the handling costs incurred in issuing approvals.

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.

(c) The handling fee may not be more than the amounts necessary to cover the handling costs of issuing the approvals.

(1b) In this ~~paragraph~~ section, "handling costs" includes 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 credit transaction.

SECTION 735. 29.556 (2) (b) of the statutes is created to read:

29.556 **(2)** (b) The department may allow any agent who is appointed under s. 29.024 (6) (a) 2. or 3. to collect the handling fee and retain all or a portion of the 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. 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. or 3. 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 741. 29.563 (2) (a) 1. of the statutes is amended to read:

29.563 **(2)** (a) 1. Small game: ~~$12.25~~ $13.25.

SECTION 742. 29.563 (2) (a) 5. of the statutes is amended to read:

29.563 **(2)** (a) 5. Deer: ~~$18.25~~ $19.25.

SECTION 743. 29.563 (2) (a) 6. of the statutes is amended to read:

29.563 **(2)** (a) 6. Class A bear: ~~$39.25~~ $43.25.

SECTION 744. 29.563 (2) (a) 7. of the statutes is amended to read:

29.563 **(2)** (a) 7. Class B bear: ~~$6.25~~ $8.25.

SECTION 745. 29.563 (2) (a) 8. of the statutes is amended to read:

29.563 **(2)** (a) 8. Archer: ~~$18.25~~ $19.25.

SECTION 746. 29.563 (2) (b) 1. of the statutes is amended to read:

29.563 **(2)** (b) 1. Annual small game: ~~$73.25~~ $78.25.

SECTION 747. 29.563 (2) (b) 2. of the statutes is amended to read:

29.563 **(2)** (b) 2. Five–day small game: ~~$41.25~~ $43.25.

SECTION 748. 29.563 (2) (b) 3. of the statutes is amended to read:

29.563 **(2)** (b) 3. Deer: ~~$133.25~~ $138.25.

SECTION 749. 29.563 (2) (b) 4. of the statutes is amended to read:

29.563 **(2)** (b) 4. Class A bear: ~~$199.25~~ $218.25.

SECTION 750. 29.563 (2) (b) 5. of the statutes is amended to read:

29.563 **(2)** (b) 5. Class B bear: ~~$98.25~~ $108.25.

SECTION 751. 29.563 (2) (b) 6. of the statutes is amended to read:

29.563 **(2)** (b) 6. Archer: ~~$133.25~~ $138.25.

SECTION 752. 29.563 (2) (b) 7. of the statutes is amended to read:

29.563 **(2)** (b) 7. Fur–bearing animal: ~~$148.25~~ $153.25.

SECTION 753. 29.563 (2) (c) 1. of the statutes is amended to read:

29.563 **(2)** (c) 1. Bonus deer: ~~$12~~ $12.25.

SECTION 754. 29.563 (2) (d) of the statutes is amended to read:

29.563 **(2)** (d) *Nonresident permit.* Bonus deer: ~~$20~~ $21.25.

SECTION 755. 29.563 (2) (e) 1. of the statutes is amended to read:

29.563 **(2)** (e) 1. Wild turkey: ~~$5~~ $6.75.

SECTION 756. 29.563 (2) (e) 2. of the statutes is amended to read:

29.563 **(2)** (e) 2. Pheasant: ~~$7~~ $6.75.

SECTION 757. 29.563 (3) (a) 1. of the statutes is amended to read:

29.563 **(3)** (a) 1. Annual: ~~$13.25~~ $14.25.

SECTION 758. 29.563 (3) (a) 3. of the statutes is amended to read:

29.563 **(3)** (a) 3. Husband and wife: ~~$23.25~~ $25.25.

SECTION 759. 29.563 (3) (b) 1. of the statutes is amended to read:

29.563 **(3)** (b) 1. Annual: ~~$33.25~~ $36.25.

SECTION 760. 29.563 (3) (b) 2. of the statutes is amended to read:

29.563 **(3)** (b) 2. Annual family: ~~$51.25~~ $55.25.

SECTION 761. 29.563 (3) (b) 3. of the statutes is amended to read:

29.563 **(3)** (b) 3. Fifteen–day: ~~$19.25~~ $21.25.

SECTION 762. 29.563 (3) (b) 4. of the statutes is amended to read:

29.563 **(3)** (b) 4. Fifteen–day family: ~~$29.25~~ $33.25.

SECTION 763. 29.563 (3) (b) 5. of the statutes is amended to read:

29.563 **(3)** (b) 5. Four–day: ~~$14.25~~ $16.25.

SECTION 764. 29.563 (3) (c) 1. of the statutes is amended to read:

29.563 **(3)** (c) 1. Inland waters trout: ~~$7~~ $6.75.

SECTION 765. 29.563 (3) (c) 2. of the statutes is amended to read:

29.563 **(3)** (c) 2. Great Lakes trout and salmon: ~~$7~~ $6.75.

SECTION 766. 29.563 (3) (d) 1. of the statutes is amended to read:

29.563 **(3)** (d) 1. Sturgeon spearing: ~~$9.25~~ $11.25.

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 774. 29.563 (12) (a) 3. of the statutes is amended to read:

29.563 **(12)** (a) 3. Other hunting: ~~$6.25~~ $7.25.

SECTION 775. 29.563 (12) (a) 4. of the statutes is amended to read:

29.563 **(12)** (a) 4. Class A bear: ~~$13~~ $15.25.

SECTION 776. 29.563 (12) (b) of the statutes is amended to read:

29.563 **(12)** (b) *Fishing.* Fishing: ~~$6.25~~ $7.25.

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 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 783. 29.615 of the statutes is created to read:

29.615 Rehabilitation of wild animals. The department by rule may regulate the rehabilitation of wild animals by persons not employed by the department. The rules may include a system for issuing approvals to rehabilitators and requirements for rehabilitators who apply for and who hold the approvals.

SECTION 784. 29.853 (2) (a) of the statutes is amended to read:

29.853 **(2)** (a) *Restrictions.* No person may possess any live game animal or fur–bearing animal unless authorized under s. 29.615, 29.857, 29.863, 29.867, 29.869, 29.871 or 29.877 except to control an animal temporarily.

SECTION 785. 29.936 (1) of the statutes is renumbered 29.936 (1) (b) and amended to read:

29.936 **(1)** (b) 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 786. 29.936 (1) (a) of the statutes is created to read:

29.936 **(1)** (a) In this subsection, "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 787. 29.947 (4) (a) of the statutes is amended to read:

29.947 **(4)** (a) *Costs reimbursed.* Except as provided under par. (c), the department may pay each participating county or municipality up to 100% of the county's or municipality's actual costs that are directly attributable to providing additional law enforcement services during the spearfishing season. The department shall make any aid payments from the appropriations under s. 20.370 (5) ~~(ea)~~ (ek) by September 30 of the calendar year in which the county or municipality files an application under sub. (2) (c). The department may not make an aid payment unless the payment is approved by the secretary of administration.

SECTION 788. 29.947 (4) (c) of the statutes is amended to read:

29.947 **(4)** (c) *Prorated payments allowed.* If the total amount of reimbursable costs under par. (a) exceeds the amount available for payments under s. 20.370 (5) ~~(ea)~~ (ek), the department may prorate payments to participating counties and municipalities.

SECTION 789. 30.01 (6b) of the statutes is amended to read:

30.01 **(6b)** "Substantive written objection" means a written statement giving specific reasons why a proposed project under ss. 30.02 to 30.38 may violate the statutory provisions applicable to the project and specifying that the person making the objection will appear and present information supporting the objection ~~in a contested case hearing~~.

SECTION 790. 30.02 of the statutes is repealed and recreated to read:

30.02 General provisions for notices, hearings and decisions. (1) APPLICABILITY. The department shall follow the procedures in subs. (2) to (10) in determining whether to issue a permit or to enter a contract under this chapter if any of the following apply:

(a) A preliminary decision is specifically required under this chapter.

(b) The department determines that a substantial public right or public interest in navigable waters may be adversely affected by the department's decision.

(c) The department determines that a riparian right of a person other than the applicant for the permit or contract may be adversely affected by the department's decision.

(2) PRELIMINARY DECISION REQUIRED. (a) Upon receipt of a complete application for a permit to which sub. (1) applies or before entering a contract to which sub. (1) applies, the department shall evaluate the application or proposed contract and issue a preliminary decision whether to grant the permit or to enter into the contract.

(b) A decision under par. (a) shall become final on the 30th day following the date of the transmittal of the preliminary decision under sub. (3) or the date of publication of the notice under sub. (4) unless the department receives a written objection to the preliminary decision before that date.

(3) NOTICE OF PRELIMINARY DECISION; SPECIAL NOTICE. The department shall issue a notice of its preliminary decision, which shall contain the preliminary decision and the information specified in sub. (2) (b), and shall transmit a copy of the notice to all of the following within 7 days after its issuance:

(a) The applicant for the permit or contract.

(b) Any person who owns riparian property adjacent to the property of the applicant.

(c) The clerk of each municipality in which the project will be located.

(d) If the body of water is a lake, any public inland lake protection and rehabilitation district established for the lake.

(e) Any property owner's association that is established for the body of water.

(f) Any town sanitary district or other special purpose district that has been established for the management of the body of water.

(g) A newspaper designated by the department that is likely to provide notice in the area in which the project is located. The notice shall be published only if so required under sub. (4).

(h) The Great Lakes Indian Fish and Wildlife Commission if the body of water is located within an area where federally recognized American Indian tribes or bands domiciled in this state hold treaty–based, off–reservation rights to fish.

(4) NOTICE OF PRELIMINARY DECISION; PUBLIC NOTICE. If the department determines that an environmental impact assessment under s. 1.11 is required for the project or if a person is applying for a permit or to enter a contract to which ss. 30.19 (1) (b), 30.195 (3m) (b), 30.196 or 30.20 (3) (b) applies, the department, in addition to transmitting the notice of its preliminary decision as required in sub. (3), shall require public notice of the preliminary decision. The public notice shall contain the preliminary decision whether to grant the permit or the contract and the information specified in sub. (2) (b). The department shall provide a copy of this public notice to the applicant for the permit or contract. The applicant shall publish the notice as a class 1 notice under ch. 985 in a newspaper designated by the department that is likely to give notice in the area in which the project is located within 15 days after the receipt of the copy of the notice. The applicant shall provide proof of publication to the department.

(5) RESPONSE TO PRELIMINARY DECISION. (a) If the department receives a timely written objection to a preliminary decision issued under sub. (2), the department shall determine whether it is a substantive written objection. The department shall inform the applicant that it has received the objection and the receipt of the objection

stays the preliminary decision until the procedures in sub. (6) (a), (d) or (g) have been completed. Within 30 days after the receipt of the objection, the department shall either complete its determination or shall request more information to support the objection from the person making the objection. If the department requests more information, it shall complete its determination within 30 days after the receipt of the additional information. If the department fails to act within the time period required under this paragraph, the department shall issue a determination that the objection is a substantive written objection.

(b) If the department does not receive any timely written objections to a preliminary decision issued under sub. (2), the department shall enter the preliminary decision as its final decision on issuing the permit or entering the contract.

(6) PROCEDURES WHEN OBJECTIONS RECEIVED. (a) If the department determines under sub. (5) that an objection is a substantive written objection to a preliminary decision and that the project proposed under the permit or contract affects a public right or public interest in a navigable waterway, the department shall notify the applicant of its determination and shall allow the person making the substantive written objection to choose any of the following methods as a means to resolve the dispute presented by the substantive written objection:

1. An informal hearing before staff from the department.

2. A public hearing following the procedures under sub. (8).

3. A dispute resolution proceeding, if agreeable to the applicant for the permit or contract, the department and the person making the substantive written objection.

(b) If the department determines under par. (a) that there is more than one substantive written objection to a preliminary decision, the department shall use the method under par. (a) 2. to resolve the dispute unless all of the persons making the substantive written objections agree to the method under par. (a) 1. or unless all of the persons making the substantive written objections and the applicant for the permit or contract agree to the method under par. (a) 3.

(c) If a dispute resolution proceeding is conducted under par. (a) and if an agreement is reached, the parties to the proceeding shall submit the agreement to the department for approval. In approving the decision, the department may amend the agreement in order to protect the public rights or interests in the navigable waterway affected by the agreement. If an agreement is not reached or if the department does not approve the agreement, the department shall order a public hearing under sub. (8).

(d) If the department determines under sub. (5) that an objection to a preliminary decision is a substantive written objection but that the project proposed under the permit or contract does not affect a public right or public interest in a navigable waterway, the department shall notify the applicant of its determination and shall allow the person making the substantive written objection to choose any of the following methods as a means to resolve the dispute presented by substantive written objection:

1. An informal hearing before staff from the department.

2. A dispute resolution proceeding, if agreeable to the applicant for the permit or contract and the person making a substantive written objection.

(e) If the department determines under par. (d) that there is more than one substantive written objection to a preliminary decision, the department shall use the

method under par. (a) 1. to resolve the dispute unless all of the persons making the substantive written objections and the applicant for the permit or contract agree to the method under par. (a) 3.

(f) If a dispute resolution proceeding is conducted under par. (d) and if an agreement is reached, the parties to the proceeding shall submit the agreement to the department for approval. In approving the decision, the department may amend the agreement in order to protect the public rights or interests in the navigable waterway affected by the agreement. If an agreement is not reached or if the department does not approve the agreement, the department shall conduct an informal hearing as provided in par. (d) 1.

(g) If the department determines under sub. (5) that an objection to a preliminary decision is not a substantive written objection, the department shall enter the preliminary decision as its final decision on issuing the permit or entering the contract.

(h) If the final decision under par. (g) is to issue the permit or enter the contract, the stay under sub. (5) (a) is automatically extended for 10 days after the decision becomes final.

(7) INFORMAL HEARING AND DISPUTE RESOLUTION PROCEEDINGS. The department shall promulgate rules to establish requirements and procedures for the informal hearings and the dispute resolution proceedings under sub. (6). The rules for dispute resolution proceedings shall include processes for mediation and binding arbitration.

(8) PUBLIC HEARING AND NOTICE. If a public hearing is to be conducted under this section, the department shall order a public hearing and the division of hearings and appeals shall transmit copies of the written notice of hearing to each person who

received a notice of the preliminary decision under sub. (3) and to each person who submitted a substantive written objection to the preliminary decision. The division of hearings and appeals shall transmit these copies at least 20 days before the hearing. The applicant shall then publish the notice as a class 1 notice under ch. 985 in a newspaper designated by the department that is likely to give notice in the area affected. The applicant shall file proof of publication under this subsection with the hearing examiner at or prior to the hearing.

(9) JUDICIAL REVIEW. Any decision issued by department staff under sub. (6), any agreement approved by the department under sub. (6) or any decision by a hearing examiner under this section is an administrative decision subject to judicial review under ss. 227.52 to 227.58.

(10) AMENDED DECISIONS. The department shall amend or reverse a preliminary decision instead of entering it as the final decision under sub. (5) (b) or (7) if, after issuing its preliminary decision, the department receives information concerning the permit or contract and if based on that information the department determines it is necessary to amend or reverse its decision. If the department amends or reverses the preliminary decision, the procedures in subs. (2) to (9) apply to this amended or reversed preliminary decision.

SECTION 791. 30.12 (2) of the statutes is amended to read:

30.12 **(2)** PERMITS TO PLACE STRUCTURES OR DEPOSITS IN NAVIGABLE WATERS; GENERALLY. The department, upon application and after ~~proceeding in accordance with s. 30.02 (3) and (4)~~ <u>issuing a preliminary decision and following the other applicable procedures under s. 30.02</u>, may grant to any riparian owner a permit to build or maintain for the owner's use a structure otherwise prohibited under sub. (1), if the structure does not materially obstruct navigation or reduce the effective flood

flow capacity of a stream and is not detrimental to the public interest. ~~The procedures in this subsection do not apply to~~ Applications for permits issued under sub. (3) are exempt from the procedures under s. 30.02.

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 793. 30.123 (3) of the statutes is amended to read:

30.123 **(3)** (a) Upon receipt of a complete application, the department shall issue a preliminary decision and follow the ~~notice and hearing provisions of~~ other applicable procedures under s. 30.02 ~~(3) and (4), except that no notice or hearing is required for~~.

(b) Notwithstanding par. (a) applications for proposed bridges which would cross navigable waters less than 35 feet wide are exempt from the procedures under s. 30.02.

SECTION 794. 30.135 (2) (a) of the statutes is renumbered 30.135 (2) and amended to read:

30.135 **(2)** ~~NOTICE AND HEARING~~ DECISIONS AND PROCEDURE. Upon receipt of a complete permit application, the department shall ~~either order a hearing or provide notice stating that it will proceed on the application without a hearing unless a substantive written objection to issuance of the permit is received within 30 days after publication of the notice. The department shall provide a copy of the notice to the applicant for the permit, the clerk of each municipality in which the water ski platform or water ski jump is to be located and to any other person required by law to receive notice. The department may provide notice to other persons as it considers appropriate. The applicant shall publish the notice as a class 1 notice under ch. 985 in a newspaper designated by the department that is likely to give notice in the area affected. The applicant shall file proof of publication with the department~~ issue a preliminary decision and follow the other applicable procedures under s. 30.02 and the rules promulgated under sub. (3).

SECTION 795. 30.135 (2) (b) of the statutes is repealed.

SECTION 796. 30.135 (2) (c) of the statutes is repealed.

SECTION 797. 30.135 (3) (a) of the statutes is renumbered 30.135 (3) and amended to read:

30.135 **(3)** RULES. The department shall promulgate a rule listing specific reasons that will support a substantive written objection to the placement of a water ski platform or water ski jump. A notice of preliminary decision issued for the placement of a water ski platform or water ski jump under s. 30.02 shall contain a statement explaining what constitutes a substantive written objection and the list of these specific reasons.

SECTION 798. 30.135 (3) (b) of the statutes is repealed.

SECTION 799. 30.135 (4) of the statutes is repealed.

SECTION 800. 30.14 (2) of the statutes is amended to read:

30.14 **(2)** HEARINGS BY DEPARTMENT. Upon complaint by any person to the department that any wharf, pier or other structure exists in navigable water in violation of s. 30.12 ~~or~~, 30.13 or ~~30.207~~ 30.206 or that any wharf, pier or other structure proposed to be built in navigable water will violate s. 30.12 ~~or~~, 30.13 or ~~30.207~~ 30.206, the department shall investigate and may hold a hearing to determine whether the wharf, pier, or other structure is or would be in violation of those sections. If no hearing is held, the complainant shall be informed of the results of the investigation.

SECTION 801. 30.18 (4) (a) of the statutes is amended to read:

30.18 **(4)** (a) Upon receipt of a complete application, the department shall issue a preliminary decision and follow the ~~notice and hearing~~ other applicable procedures under s. 30.02 ~~(3) and (4)~~. In addition to the notice requirements under s. 30.02 (3) ~~and (4)~~, the department shall mail a copy of the notice to every person upon whose land any part of the canal or any other structure will be located, to the clerk of the next town downstream, to the clerk of any village or city in which the lake or stream is located and which is adjacent to any municipality in which the diversion will take place and to each person specified in s. 281.35 (5) (b) or (6) (f), if applicable.

SECTION 802. 30.18 (8) of the statutes is amended to read:

30.18 **(8)** DEPARTMENT MAY RAISE WATER ELEVATIONS. If after examination and investigation the department determines that it is necessary to raise water elevations in any navigable stream or lake for conservation purposes, the department may, if funds are available from any source other than license fees, determine and establish the elevations to which the water may be raised or maintained, but the water elevation may not be established below the normal

elevation. If any lands are damaged by raising the water levels above normal ~~and~~, the department ~~cannot~~ may acquire the lands or the right to flow the lands by agreement with the owner~~, the department may acquire the lands or the right to flow the lands by condemnation under ch. 32~~.

SECTION 803. 30.19 (3) (a) of the statutes is amended to read:

30.19 **(3)** (a) ~~Section 30.02 (3) and (4) applies to~~ For permit applications under sub. (1) (b) and (c)~~. Notice shall be provided to the clerks of the county and municipality in which the project or affected body of water is located and~~, the department shall issue a preliminary decision and follow the other applicable procedures under s. 30.02. Permit applications under sub. (1) (a) are exempt from the procedures under s. 30.02. In addition to notice required under s. 30.02 (3), the department shall transmit a copy of the notice of its preliminary decision to the persons under sub. (2) (e) who are not required to receive notice under s. 30.02 (3). For any permit application which affects the Milwaukee River, the Menominee River, the Kinnickinnic River, the Root River or any tributary of those rivers, ~~special notice shall be given~~ the department shall transmit a copy of the notice of of its preliminary decision to the Milwaukee metropolitan sewerage district. ~~The metropolitan sewerage district shall have 30 days to respond to the special notice.~~

SECTION 804. 30.195 (3) of the statutes is amended to read:

30.195 **(3)** GRANTING OF PERMIT. Upon application therefor and subject to sub. (3m), the department shall grant a permit to the owner of any land to change the course of or straighten a navigable stream on such land, if such change or straightening will improve the economic or aesthetic value of the owner's land and will not adversely affect the flood flow capacity of the stream or otherwise be detrimental to public rights or to the rights of other riparians located on the stream.

If the department finds that the rights of such riparians will be adversely affected, it may grant the permit only with their consent. ~~Such permit may be granted on the department's own motion after its own investigation or after public hearing and after giving prior notice of such investigation or hearing.~~

SECTION 805. 30.195 (3m) of the statutes is created to read:

30.195 **(3m)** NOTICE AND HEARING PROCEDURES. In determining whether to issue a permit or to enter a contract under this section, the department shall follow the applicable procedures under s. 30.02 and shall do one of the following:

(a) Follow the notice procedures under s. 30.02 (3) if the course of the stream to be changed of the part of the stream to be straightened is less than 500 feet in length.

(b) Follow the notice procedures under s. 30.02 (4) if the course of the stream to be changed or the part of the stream to be straightened is 500 feet or more in length.

SECTION 806. 30.196 (intro.) of the statutes is amended to read:

30.196 Enclosure of navigable waters; issuance of permits to municipalities. (intro.) A municipality may enclose navigable waters by directing, placing or restricting navigable waters into an enclosed drain, conduit, storm sewer or similar structure if the department grants the municipality a permit. The department may grant this permit to a municipality after following the ~~notice and hearing requirements~~ <u>applicable procedures</u> under s. 30.02 ~~(3) and (4)~~ if it finds that granting the permit:

SECTION 807. 30.20 (3) of the statutes is created to read:

30.20 **(3)** NOTICE AND HEARING PROCEDURES. In determining whether to issue a permit or to enter a contract under this section, the department shall follow the applicable procedures under s. 30.02 and shall do one of the following:

(a) Follow the notice procedures under s. 30.02 (3) if the amount of material to be removed is less than 3,000 cubic yards.

(b) Follow the notice procedures under s. 30.02 (4) if the amount of material to be removed is 3,000 cubic yards or more.

SECTION 808. 30.206 (1) of the statutes is amended to read:

30.206 **(1)** STANDARDS FOR ISSUING PERMITS. For activities which require a permit, contract or other approval under ~~ss. 30.12 (3) (a) and 30.19 (1) (a)~~ this chapter, the department may issue a general permit authorizing a class of activities~~,~~ ~~according to rules promulgated by the department~~ statewide or in a region of the state. Before issuing general permits, the department shall determine, after an environmental analysis and notice and hearing under ss. 227.17 and 227.18, that the cumulative adverse environmental impact of the class of activity is insignificant and that issuance of the general permit will not injure public rights or ~~interest~~ public interests in navigable waters, cause environmental pollution, as defined in s. 299.01 (4), or result in material injury to the rights of any riparian owner.

SECTION 809. 30.206 (1r) (title) of the statutes is created to read:

30.206 **(1r)** (title) HEARINGS.

SECTION 810. 30.206 (1r) (b) of the statutes is created to read:

30.206 **(1r)** (b) Upon receipt of an application for a general permit, the department shall either order a public hearing or provide notice stating that it will proceed on the application without a hearing if, within 30 days after the publication of the notice, no request for a hearing concerning the application is received. The department shall provide a copy of the notice to the applicant for the permit, to the clerk of each municipality in which the general permit will apply and to any other person required by law to receive notice. The department may provide notice to other

persons as it considers appropriate. The applicant shall publish the notice as a class 1 notice under ch. 985 in any newspaper designated by the department that is likely to give notice in any area to be affected. The applicants shall file proof of publication with the department.

SECTION 811. 30.206 (1r) (c) of the statutes is created to read:

30.206 **(1r)** (c) If the department orders a public hearing, the division of hearings and appeals shall mail a written notice at least 10 days before the hearing to each person given a copy of the notice under par. (b) and to each person requesting the hearing.

SECTION 812. 30.206 (1r) (d) of the statutes is created to read:

30.206 **(1r)** (d) The applicant for the permit shall publish a class 1 notice under ch. 985 of the public hearing in any newspaper designated by the department that is likely to give notice in any area to be affected. The applicant shall file proof of publication under this paragraph with the hearing examiner at or prior to the hearing.

SECTION 813. 30.206 (2) of the statutes is amended to read:

30.206 **(2)** CONDITIONS ON PERMITS. A general permit issued under this section may include any conditions determined by the department to be reasonably necessary to prevent environmental pollution, as defined in s. 299.01 (4), and to protect the public ~~interest~~ interests and public rights in navigable waters and the rights of other riparian owners.

SECTION 814. 30.206 (3) of the statutes is repealed.

SECTION 815. 30.206 (3m) of the statutes is repealed.

SECTION 816. 30.206 (4) of the statutes is repealed.

SECTION 817. 30.206 (5) (title) of the statutes is created to read:

30.206 **(5)** (title) PERIOD OF VALIDITY; REVOCATIONS; TERMINATION OF STRUCTURES OR ACTIVITIES.

SECTION 818. 30.206 (5) of the statutes is renumbered 30.206 (5) (c) and amended to read:

30.206 **(5)** (c) Failure of an applicant for a general permit under this section to follow the procedural requirements ~~of~~ under this section may result in forfeiture ~~but may not, by itself, result in~~ and the department may seek abatement of the activity if the department determines that the activity injures the public rights or public interests in navigable waters.

SECTION 819. 30.206 (5) (a) of the statutes is created to read:

30.206 **(5)** (a) A general permit shall be valid for the period of time specified by the department on the permit but may not be valid for longer than 5 years from the date of issuance.

SECTION 820. 30.206 (5) (b) of the statutes is created to read:

30.206 **(5)** (b) The department may revoke a general permit if it determines that any of the activities authorized under the general permit injures the public rights or public interests in the navigable waters.

SECTION 821. 30.206 (5) (d) of the statutes is created to read:

30.206 **(5)** (d) A person may maintain structure or deposit that was placed in a body of water or otherwise continue an activity under the authority of a general permit issued under this section after a general permit expires or is revoked unless the department determines that the structure, deposit or activity injures the public rights or public interests in navigable waters and orders it removed or terminated.

SECTION 822. 30.206 (6) of the statutes is amended to read:

30.206 **(6)** OPTION TO REQUEST INDIVIDUAL PERMIT. A person proposing an activity for which a general permit has been issued may request an individual permit under the applicable provisions of this chapter ~~or ch. 31~~ in lieu of seeking authorization under the general permit.

SECTION 823. 30.206 (7) of the statutes is repealed.

SECTION 824. 30.206 (8m) of the statutes is created to read:

30.206 **(8m)** GENERAL PERMITS UNDER PILOT PROGRAM. Any permit issued under s. 30.207, 1997 stats., and in effect on the effective date of this subsection .... [revisor inserts date], shall remain in effect. Subsections (3b), (5) and (6) apply to such a permit.

SECTION 825. 30.207 (title) of the statutes is repealed.

SECTION 826. 30.207 (1) of the statutes is repealed.

SECTION 827. 30.207 (1m) of the statutes is repealed.

SECTION 828. 30.207 (2) of the statutes is repealed.

SECTION 829. 30.207 (3) (title) of the statutes is renumbered 30.206 (1g) (title) and amended to read:

30.206 **(1g)** (title) APPLICATION FOR ~~GENERAL PERMIT~~ PERMITS.

SECTION 830. 30.207 (3) (a) of the statutes is renumbered 30.206 (1g) (a) and amended to read:

30.206 **(1g)** (a) Any ~~local entity, as defined in s. 30.77 (3) (dm), or any group of 10 riparian owners who will be affected by the issuance of a general permit, or any contractor who is or has been involved in the construction of structures or along navigable waters may apply for a~~ municipality, public inland lake protection and rehabilitation district or any town sanitary district may submit an application to the department for general permit under this section authorizing one or more activities

statewide or in a region in which the municipality or district is located. Any group of at least 10 riparian owners may submit an application for a general permit under this section authorizing one or more activities statewide or in a region where the riparian owners will be affected. The fee specified in s. 30.28 (2) (b) 1. shall accompany the application.

SECTION 831. 30.207 (3) (b) of the statutes is repealed.

SECTION 832. 30.207 (3) (c) of the statutes is repealed.

SECTION 833. 30.207 (3) (d) (intro.) of the statutes is renumbered 30.206 (1g) (b) (intro.).

SECTION 834. 30.207 (3) (d) 1. of the statutes is renumbered 30.206 (1g) (b) 1.

SECTION 835. 30.207 (3) (d) 2. of the statutes is renumbered 30.206 (1g) (b) 2. and amended to read:

30.206 **(1g)** (b) 2. Specify the department's plans for proceeding on the application. ~~The plans shall include a timetable for the notice and hearing required under sub. (4).~~

SECTION 836. 30.207 (4) of the statutes is repealed.

SECTION 837. 30.207 (5) of the statutes is renumbered 30.206 (1r) (a) and amended to read:

30.206 **(1r)** (a) ~~If an activity for which an application for which a general permit has been submitted would be subject to the hearing and notice provisions under s. 30.02 (3) and (4) for the issuance of an individual permit, the department shall comply with those provisions. Notice~~ The department shall follow the notice and hearing ~~shall be required on~~ procedures under pars. (b) to (d) for an application for a general permit under this section ~~only if a notice and hearing are required under~~

~~s. 30.02 (3) and (4) for the activity as part of an application for an individual permit under this chapter~~.

SECTION 838. 30.207 (6) of the statutes is repealed.

SECTION 839. 30.207 (7) (title) of the statutes is renumbered 30.206 (3b) (title) and amended to read:

30.206 **(3b)** (title) ACTIVITIES UNDER ~~GENERAL~~ PERMITS.

SECTION 840. 30.207 (7) (a) of the statutes is renumbered 30.206 (3b) (a) and amended to read:

30.206 **(3b)** (a) At least 15 days before beginning the activity that is authorized by a general permit under this section, the person who wishes to conduct ~~the activity~~ an activity for which the department has issued a general permit shall submit a notice to the department and shall pay the fee specified in s. 30.28 (2) (b) 2. The notice shall describe the activity, state the name of the person that will be conducting the activity and ~~state the site~~ shall specify the location where the activity will be conducted. The notice shall also contain a statement signed by the person conducting the activity that the person will act in conformance with the standards contained in the general permit.

SECTION 841. 30.207 (7) (b) of the statutes is renumbered 30.206 (3b) (b) and amended to read:

30.206 **(3b)** (b) Upon receipt of a notice that complies with par. (a), the department may inform the person that the activity may not be conducted under the general permit if ~~conditions at the site where~~ the activity would ~~be conducted would cause adverse environmental impact,~~ injure public rights and public interests ~~or cause environmental pollution, as defined in s. 299.01 (4). The department shall respond to the person within 15 days after receiving the notice. Failure of the~~

~~department to respond within 15 days shall constitute the department's approval of the activity under the general permit~~ in navigable waters.

SECTION 842. 30.207 (7) (c) of the statutes is renumbered 30.206 (3b) (c) and amended to read:

30.206 **(3b)** (c) A person conducting an activity that is authorized by a general permit under this section shall comply with any standard contained in an applicable local ~~ordinances~~ ordinance that is at least as restrictive as the standards contained in the general permit.

SECTION 843. 30.207 (8) of the statutes is repealed.

SECTION 844. 30.207 (9) (intro.) of the statutes is renumbered 30.279 and amended to read:

30.279 ~~Access~~ Departmental access to property. For ~~inspection~~ the purposes of administering and enforcing this chapter and the rules promulgated under this chapter, an employe or agent of the department shall have free access during reasonable hours to inspect any site where ~~an~~ project or activity is proposed to be, is or has been ~~authorized under a general~~ undertaken pursuant to a permit ~~issued under this section if the employe or agent shows to any person who is present at the site and who owns the site or is otherwise in control of the site either of the following:~~ or other approval or a contract under this chapter.

SECTION 845. 30.207 (9) (a) of the statutes is repealed.

SECTION 846. 30.207 (9) (b) of the statutes is repealed.

SECTION 847. 30.207 (10) of the statutes is repealed.

SECTION 848. 30.28 (1) of the statutes is amended to read:

30.28 **(1)** FEES REQUIRED. The department shall charge a permit or approval fee for carrying out its duties and responsibilities under ss. 30.10 to ~~30.205, 30.207~~

30.206 and 30.21 to 30.27. The permit or approval fee shall accompany the permit application, notice or request for approval.

SECTION 849. 30.28 (2) (b) 1. of the statutes is amended to read:

30.28 **(2)** (b) 1. For an application for a general permit submitted under s. ~~30.207 (3)~~ 30.206 (1g), the fee shall be $2,000.

SECTION 850. 30.28 (2) (b) 2. of the statutes is amended to read:

30.28 **(2)** (b) 2. For a notice submitted under s. ~~30.207 (7)~~ 30.206 (3b), the fee shall be $100.

SECTION 851. 30.28 (2m) (am) of the statutes is amended to read:

30.28 **(2m)** (am) The department shall refund 50% of the fee specified in sub. (2) (b) 1. if the department denies an application for a general permit under s. ~~30.207 (3) (d) 1. or does not issue a general permit under s. 30.207 (6)~~ 30.206 (1g).

SECTION 852. 30.28 (2m) (b) of the statutes is amended to read:

30.28 **(2m)** (b) If the applicant applies for a permit, requests an approval, or submits a notice under s. ~~30.207 (7)~~ 30.206 (3b) after the project is begun or after it is completed, the department shall charge an amount equal to twice the amount of the fee that it would have charged under this section.

SECTION 853. 30.28 (2m) (d) of the statutes is amended to read:

30.28 **(2m)** (d) The department, by rule, may increase any fee specified in sub. (2) (a). The department, by rule, may increase a fee specified in sub. (2) (b) only if the increase is necessary to meet the costs incurred by the department in acting on general permits or on notices submitted under s. ~~30.207~~ 30.206.

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 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 867. 30.77 (3) (dm) 1. of the statutes is amended to read:

30.77 **(3)** (dm) 1. In this paragraph, "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 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 869. 31.385 (1) of the statutes is renumbered 31.385 (1m) and amended to read:

31.385 **(1m)** 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~~ safety projects.

SECTION 870. 31.385 (1) of the statutes is created to read:

31.385 **(1)** In this section, "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.

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 872. 31.385 (2) (a) of the statutes is amended to read:

31.385 **(2)** (a) State financial assistance for a dam safety project is limited to no more than 50% of the cost of ~~a particular~~ the project ~~involving dam maintenance, repair, modification, abandonment or removal~~ and no more than $200,000 ~~of state financial assistance for a particular project~~.

SECTION 873. 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 dams that are less than 15 feet ~~wide~~ high and that create impoundments of ~~50 acre–feet~~ 100 surface acres of water or less.

A project under this paragraph 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 877. 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 with technical assistance ~~in conducting~~ for dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects under this section. The department shall coordinate the financial assistance program under this section with other related state and federal programs.

SECTION 878. 32.02 (1) of the statutes is amended to read:

32.02 **(1)** Any county, town, village, city, including villages and cities incorporated under general or special acts, school district, the department of health and family services, the department of corrections, the board of regents of the university of Wisconsin system, ~~the building commission,~~ a commission created by contract under s. 66.30, with the approval of the municipality in which condemnation is proposed, or any public board or commission, for any lawful purpose, but in the case of city and village boards or commissions approval of that action is required to be granted by the governing body. A mosquito control commission, created under s. 59.70 (12), may not acquire property by condemnation. The department of natural resources may not acquire property by condemnation.

SECTION 879. 32.02 (16) of the statutes is repealed and recreated to read:

32.02 **(16)** The building commission, as specified in s. 13.48 (16), and, at the request of the department of natural resources, for any public purpose.

SECTION 880. 32.05 (7) (d) of the statutes is amended to read:

32.05 **(7)** (d) On or before said date of taking, a check, naming the parties in interest as payees, for the amount of the award less outstanding delinquent tax liens, proportionately allocated as in division in redemption under ss. 74.51 and 75.01 when necessary and less the condemnee's prorated taxes of the same year, if any, likewise proportionately allocated when necessary against the property taken, shall at the option of the condemnor be mailed by certified mail to the owner or one of the owners of record or be deposited with the clerk of the circuit court of the county for the benefit of the persons named in the award. The clerk shall give notice thereof by certified mail to such parties. The persons entitled thereto may receive their proper share of the award by petition to and order of the circuit court of the county. The petition shall be filed with the clerk of the court without fee.

SECTION 881. 32.05 (7) (e) of the statutes is created to read:

32.05 **(7)** (e) Notwithstanding par. (d), if the condemnor seeks less than a 50% interest in the property under sub. (3) (b), the condemnor may choose not to subtract the condemnee's prorated taxes of the same year, if any, from the award payment and may include the condemnor's prorated taxes of the same year, if any, in the award payment.

SECTION 882. 32.185 of the statutes is renumbered 32.185 (intro.) and amended to read:

32.185 Condemnor. (intro.) ~~"Condemnor", for the purposes of~~ In ss. 32.19 to 32.27~~,~~:

(1) Except as provided in sub. (2), "condemnor" means ~~any~~:

(a) Any municipality, board, commission, public officer or corporation vested with the power of eminent domain which acquires property for public purposes either by negotiated purchase when authorized by statute to employ its powers of eminent domain or by the power of eminent domain. ~~"Condemnor" also means a displacing agency. In this section, "displacing agency" means any~~

(b) Any state agency, political subdivision of the state or person carrying out a program or project with public financial assistance that causes a person to be a displaced person, as defined in s. 32.19 (2) (e).

SECTION 883. 32.185 (2) of the statutes is created to read:

32.185 **(2)** "Condemnor" does not include the department of natural resources.

SECTION 884. 34.01 (2) (a) of the statutes is amended to read:

34.01 **(2)** (a) Any loss of public moneys, which have been deposited in a designated public depository in accordance with this chapter, resulting from the failure of any public depository to repay to any public depositor the full amount of

its deposit because the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, division of banking or division of savings ~~and loan~~ institutions has taken possession of the public depository or because the public depository has, with the consent and approval of the office of credit unions, administrator of federal credit unions, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, division of banking or division of savings ~~and loan~~ institutions, adopted a stabilization and readjustment plan or has sold a part or all of its assets to another credit union, bank, savings bank or savings and loan association which has agreed to pay a part or all of the deposit liability on a deferred payment basis or because the depository is prevented from paying out old deposits because of rules of the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, division of banking or division of savings ~~and loan~~ institutions.

SECTION 885. 34.10 of the statutes is amended to read:

34.10 Reorganization and stabilization of financial institutions. Whenever the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, division of banking or division of savings ~~and loan~~ institutions has taken charge of a credit union, bank, savings bank or savings and loan association with a view of restoring its solvency, pursuant to law, or with a view of stabilizing and readjusting the structure of any national or state credit union, bank, savings bank or savings and

loan association located in this state, and has approved a reorganization plan or a stabilization and readjustment agreement entered into between the credit union, bank, savings bank or savings and loan association and depositors and unsecured creditors, or when a credit union, bank, savings bank or savings and loan association, with the approval of the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, division of banking or division of savings ~~and loan~~ institutions proposes to sell its assets to another credit union, bank, savings bank or savings and loan association which agrees to assume a part or all of the deposit liability of such selling credit union, bank, savings bank or savings and loan association and to pay the same on a deferred payment basis, the governing board of the public depositor may, on the approval of the division of banking, join in the execution of any reorganization plan, or any stabilization and readjustment agreement, or any depositor's agreement relative to a proposed sale of assets if, in its judgment and that of the division of banking, the reorganization plan or stabilization and readjustment agreement or proposed sale of assets is in the best interest of all persons concerned. The joining in any reorganization plan, or any stabilization and readjustment agreement, or any proposed sale of assets which meets the approval of the division of banking does not waive any rights under this chapter.

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 Ashland full–scale aquaculture demonstration facility authorized under 1999 Wisconsin Act .... (this act), section 9107 (1) (a) 1.

SECTION 888. 36.25 (5) (c) of the statutes is created to read:

36.25 **(5)** (c) 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 and the board of regents to the corporation described under s. 39.81, this subsection does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

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 890. 36.25 (24) of the statutes is amended to read:

36.25 **(24)** EMPLOYE–OWNED BUSINESSES PROGRAM. Through the University of Wisconsin small business development center, in cooperation with the ~~department of commerce under s. 560.07 (2m), the~~ technical college system board and the University of Wisconsin–extension, the board shall create, as needed, educational programs to provide training in the management of employe–owned businesses and shall provide technical assistance to employe–owned businesses in matters affecting their management and business operations, including assistance with governmental relations and assistance in obtaining management, technical and financial assistance.

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 892. 36.25 (32) (b) (intro.) of the statutes is amended to read:

36.25 **(32)** (b) (intro.) From the appropriation under s. 20.285 (1) ~~(fs)~~ (a), the board shall award grants totaling not more than $500 annually per county to sponsors of farm safety education, training or information programs. To be eligible for a grant, a sponsor shall:

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 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 897. 38.125 of the statutes is amended to read:

38.125 Public broadcasting stations. 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 all broadcasting licenses held by the educational communications board and the board of regents of the University of Wisconsin System have been transferred to the corporation described under s. 39.81, to the corporation.

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 905. 39.10 of the statutes is created to read:

39.10 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this subchapter does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

SECTION 906. 39.12 (4) of the statutes is amended to read:

39.12 **(4)** The board of directors of any 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) ~~to (7)~~.

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~~ 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 913. 39.41 (title) of the statutes is repealed and recreated to read:

39.41 (title) **Governor's scholarship program.**

SECTION 914. 39.41 (9) of the statutes is created to read:

39.41 **(9)** In any printed material or other information disseminated or otherwise distributed by the board, the scholarship program under this section shall be referred to as the governor's scholarship program and scholars shall be referred to as governor's scholars.

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 921. 39.51 (title) of the statutes is repealed and recreated to read:

39.51 (title) **School approvals.**

SECTION 922. 39.51 (1) (a) of the statutes is repealed.

SECTION 923. 39.51 (1) (e) of the statutes is renumbered 39.51 (1) (e) (intro.) and amended to read:

39.51 **(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 924. 39.51 (2) of the statutes is repealed.

SECTION 925. 39.51 (5) of the statutes is repealed.

SECTION 926. 39.51 (6) of the statutes is renumbered 45.35 (11), and 45.35 (11) (a), as renumbered, is amended to read:

45.35 **(11)** (a) Except as provided in par. (b), the ~~board~~ department shall be the state approval agency for the education and training of veterans and war orphans. ~~It~~ The department shall approve and supervise schools and courses of instruction for their training under Title 38, USC, and may enter into and receive money under contracts with the U.S. department of veterans affairs or other appropriate federal agencies. The department may promulgate rules that are necessary to carry out its duties under this paragraph.

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 39.51 (1) (e) 1. to 8.

SECTION 929. 39.51 (11) of the statutes is created to read:

39.51 **(11)** EDUCATIONAL APPROVAL COUNCIL. The board shall consult with the educational approval council in carrying out its duties under this section.

SECTION 930. Subchapter V of chapter 39 [precedes 39.81] of the statutes is created to read:

CHAPTER 39

SUBCHAPTER V

EDUCATIONAL BROADCASTING

39.81 Educational broadcasting corporation. (1) INCORPORATION. The secretary of administration, the president of the University of Wisconsin System and one individual chosen by the governor shall jointly draft and file articles of incorporation for a nonstock corporation under ch. 181 and shall take all actions necessary to exempt the corporation from federal taxation under section 501 (c) (3) of the Internal Revenue Code.

(2) PURPOSE; INITIAL BOARD OF DIRECTORS. The corporation may receive state aid for initial costs under s. 20.218 (1) (a) if all of the following conditions are satisfied:

(a) The articles of incorporation state that the purpose of the corporation is to provide educational broadcasting to this state and that, if the corporation dissolves or discontinues educational broadcasting in this state, the corporation shall in good faith take all reasonable measures to transfer or assign the corporation's assets, licenses and rights to an entity whose purpose is to advance educational broadcasting in this state.

(b) The articles of incorporation name as initial directors of the corporation the secretary of administration; 2 representatives to the assembly and 2 senators, chosen as are the members of standing committees in their respective houses; a member of the board of regents of the University of Wisconsin System; and 3 individuals selected by the governor.

(c) No earlier than 30 days nor later than 45 days after the operational plan under 1999 Wisconsin Act .... (this act), section 9101 (8) (c) is implemented, the initial board of directors of the corporation submits an application to the federal communications commission to transfer all broadcasting licenses held by the educational communications board and the board of regents of the University of Wisconsin System to the corporation.

(3) BROADCASTING OPERATIONS. The corporation under sub. (1) may receive state aid for operational costs under s. 20.218 (1) (b) if all of the following conditions are satisfied:

(a) The federal communications commission approves the application for the transfer of all broadcasting licenses under sub. (2) (c), as determined by the secretary of administration.

(b) The board of directors of the corporation offers employment beginning on the effective date of the last broadcasting license transferred under par. (a) .... [revisor inserts date], as determined by the secretary of administration, to those individuals designated in the operational plan under 1999 Wisconsin Act .... (this act), section 9101 (8) (c) 1.

(c) The board of directors of the corporation honors affiliation agreements for broadcasting purposes entered into by the educational communications board and the board of regents of the University of Wisconsin System.

(d) The board of directors of the corporation negotiates with the board of regents of the University of Wisconsin System and the secretary of administration for the use of state–owned equipment and space necessary for the operations of educational radio and television networks.

(e) The secretary of administration approves any amendment to the corporation's articles of incorporation or bylaws.

(f) The 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.

(g) The 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.

(h) The corporation provides employes of the legislative audit bureau with access to all of the corporation's records.

(4) AID PAYMENTS. The secretary of administration shall pay aid under sub. (3) in instalments, as determined by the secretary.

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 or a family care district created under s. 46.2895. 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 933. 40.02 (37) of the statutes is renumbered 40.02 (37) (intro.) and amended to read:

40.02 **(37)** (intro.) "Health insurance" means ~~contractual~~ any of the following:

(a) Contractual arrangements which may include, but are not limited to, indemnity or service benefits, or prepaid comprehensive health care plans, which will provide full or partial payment of the financial expense incurred by employes and dependents as the result of injury, illness or preventive medical procedures. The plans may include hospitalization, surgical and medical care, as well as ancillary items or services as determined by the group insurance board. The plans may include the type of coverage normally referred to as "major medical" insurance.

SECTION 934. 40.02 (37) (b) of the statutes is created to read:

40.02 **(37)** (b) For the purpose of health insurance premium credits under ss. 40.05 (4) (b), (bc), (bd), (be), (bf), (bm), (bp) and (bw) and 40.95, group health

insurance within the meaning of par. (a) which is contracted or provided by the group insurance board under s. 40.03 (6) (a) or (b), including health care coverage under ss. 40.51 and 40.52, and, to the extent permitted by rules promulgated by the department, health insurance provided by a county pursuant to an election to remain covered under s. 753.07 (4) or 978.12 (6), including continuation coverage under s. 632.897 or federal law, but not conversion coverage.

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 937. 40.02 (54) (a) of the statutes is repealed.

SECTION 938. 40.03 (2) (rm) of the statutes is created to read:

40.03 **(2)** (rm) May promulgate rules, which do not conflict with the exclusion from income under section 106 of the Internal Revenue Code, for including additional health insurance plans under s. 40.02 (37) (b).

SECTION 939. 40.04 (2) (d) of the statutes is amended to read:

40.04 **(2)** (d) The costs of investing the assets of the benefit plans and retirement systems, including all costs due to s. 40.03 (1) (n), <u>and the costs of legal services authorized under s. 40.03 (1) (c)</u> shall be paid from the appropriation under s. 20.515 (1) (r) and charged directly against the appropriate investment income or reserve accounts of the benefit plan or retirement system receiving the services.

SECTION 940. 40.08 (6) (e) of the statutes is repealed and recreated to read:

40.08 **(6)** (e) Pursuant to rules promulgated by the department and at a rate of interest established by rule, the department may credit interest on moneys refunded or credited under this subsection.

SECTION 941. 40.08 (7) (c) of the statutes is amended to read:

40.08 **(7)** (c) ~~If~~ <u>Pursuant to rules promulgated by the department and at a rate of interest established by rule, if</u> an annuity underpayment ~~exceeding~~ <u>exceeds</u> the limits in par. (a) ~~has not been corrected for at least 12 months~~, the payment to the annuitant to correct the underpayment shall include ~~0.4%~~ interest on the amount of the underpayment ~~for each full month during the period beginning on the date on which the underpayment occurred and ending on the date on which the underpayment is corrected~~.

SECTION 942. 40.24 (1) (e) of the statutes is amended to read:

40.24 **(1)** (e) A reduced annuity payable in the normal form or any of the optional life forms provided under this section, plus a temporary annuity payable

monthly but terminating with the payment payable in the month following the month in which the annuitant attains age 62 or, if ~~earlier, on the death of the annuitant~~ the annuitant dies before attaining age 62, in the month in which the annuitant would have attained age 62. It is the intent of this option that so far as is practicable the amounts of the life annuity and temporary annuity shall be determined so that the annuitant's total anticipated benefits from the fund and from his or her primary OASDHI benefit will be the same each month both before and after attainment of age 62.

SECTION 943. 40.25 (6) (a) 2. of the statutes is amended to read:

40.25 **(6)** (a) 2. ~~Applications~~ A participating employe may submit one or more applications for reestablishment of creditable service ~~must include all creditable service that has been forfeited except that the~~, except that a participating employe may not submit more than 2 applications in each calendar year. A participating employe may apply for all or part of the creditable service that he or she has forfeited, subject to rules promulgated by the department. The total number of years which may be reestablished under this subsection may not be greater than the creditable service of the participating employe at the date of application, or 10 years, whichever is smaller. The department must receive an application for reestablishment of creditable service under this subsection and the required payment no later than the date the participating employe terminates employment with a participating employer.

SECTION 944. 40.25 (6) (a) 3. of the statutes is amended to read:

40.25 **(6)** (a) 3. The participating employe applying for forfeited creditable service under this subsection shall pay to the fund an amount equal to the employe's statutory contribution on earnings under s. 40.05 (1) (a) for each year of forfeited

service to be reestablished, based upon the participating employe's final average earnings, determined as if the employe retired on the date the department receives the application. The department must receive the application and the amount payable under this subdivision ~~shall be paid in a lump sum payment, except that the department may, by rule, permit a participating employe to reestablish creditable service by making payments over a period of more than one year~~ no later than the date the participating employe terminates employment with a participating employer. No employer may pay any amount payable under this subdivision on behalf of any participating employe.

SECTION 945. 41.11 (4m) of the statutes is created to read:

41.11 **(4m)** ACCESS TO CUSTOMER INFORMATION; FEES. Notwithstanding s. 19.35, the department may refuse to reveal names, addresses and related demographic information maintained on any list that the department has compiled of persons who have requested information about travel opportunities in the state. Notwithstanding s. 19.71, if the department provides information from a list of persons requesting travel information, the department may charge the person requesting the information a fee to recover the department's actual costs of compiling and providing the information. The department may reduce or waive the fee under this subsection if the department determines that the reduction or waiver is in the public interest.

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, Northern Great Lakes Center 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 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 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 950. 44.70 (3e) of the statutes is created to read:

44.70 **(3e)** "Political subdivision" means any city, village, town or county.

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 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 956. 44.72 (2) (b) 3. of the statutes is repealed.

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 964. 44.73 (2g) of the statutes is created to read:

44.73 **(2g)** An educational agency that is provided access to a data line under the program established under sub. (1) may not do any of the following:

1. Provide access to the data line to any business entity, as defined in s. 13.62 (5).

2. Request access to an additional data line for purposes of providing access to bandwidth to a political subdivision under a shared service agreement under sub. (2r) (a).

SECTION 965. 44.73 (2r) of the statutes is created to read:

44.73 **(2r)** (a) An educational agency that is provided access to a data line under the program established under sub. (1) may enter into a shared service agreement with a political subdivision that provides the political subdivision with access to any excess bandwidth on the data line that is not used by the educational agency. A shared service agreement under this subdivision is not valid unless the agreement allows an educational agency to cancel the agreement at any time after providing notice to the political subdivision.

(b) A political subdivision that obtains access to bandwidth under a shared service agreement under par. (a) may not receive compensation for providing any other person with access to the bandwidth.

(c) An educational agency shall provide the board with written notice within 30 days after entering into or modifying a shared service agreement under par. (a).

SECTION 966. 45.01 of the statutes is amended to read:

45.01 Wisconsin veterans museum; ~~space for~~. The department of administration shall provide suitable space for the purpose of a memorial hall, designated as the Wisconsin veterans museum, dedicated to the men and women of Wisconsin who served in the armed forces of the United States in the civil war of 1861 to 1865 or who ~~meets~~ meet one of the conditions listed in s. 45.35 (5) (a) 1. a. to d., and the department of veterans affairs shall operate and conduct the Wisconsin veterans museum. The mission of the Wisconsin veterans museum is to acknowledge, commemorate and affirm the role of Wisconsin veterans in the United States of America's military past by means of instructive exhibits and other educational programs.

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) for the creation of a model program that helps American Indians overcome barriers to the receipt of federal and state veterans benefits.

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 978. 45.351 (4) of the statutes is created to read:

45.351 **(4)** ANNUAL EXPENDITURE. The total of grants made under sub. (1j) may not exceed $1,200,000 in any fiscal year.

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 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 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 989. 45.397 (4) of the statutes is amended to read:

45.397 **(4)** ANNUAL EXPENDITURE. The total amount of grants made under this section may not exceed $500,000 ~~in fiscal year 1993–94 and $500,000~~ in any fiscal year ~~1994–95~~.

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~~ 18.561 (9) (j) or 18.562 (5) (e). 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, 2006, 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 998. 46.034 (3) of the statutes is amended to read:

46.034 **(3)** With the agreement of the affected county board of supervisors in a county with a single–county department or boards of supervisors in counties with a multicounty department, effective for the contract period beginning January 1, 1980, the department may approve a county with a single–county department or counties participating in a multicounty department to administer a single consolidated aid consisting of the state and federal financial aid available to that

county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), (kw), (kz) and (o) for services provided and purchased by county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437. Under such an agreement, in the interest of improved service coordination and effectiveness, the county board of supervisors in a county with a single–county department or county boards of supervisors in counties with a multicounty department may reallocate among county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 funds that otherwise would be specified for use by a single county department. The budget under s. 46.031 (1) shall be the vehicle for expressing the proposed use of the single consolidated fund by the county board of supervisors in a county with a single–county department or county boards of supervisors in counties with a multicounty department. Approval by the department of this use of the fund shall be in the contract under s. 46.031 (2g). Counties that were selected by the department to pilot test consolidated aids for contract periods beginning January 1, 1978, may continue or terminate consolidation with the agreement of the affected county board of supervisors in a county with a single–county department or county boards of supervisors in counties with a multicounty department.

SECTION 999. 46.036 (4) (a) of the statutes is amended to read:

46.036 **(4)** (a) Except as provided in this paragraph, maintain a uniform double entry accounting system and a management information system which are compatible with cost accounting and control systems prescribed by the department. The department shall establish a simplified double entry bookkeeping system for use by family–operated group homes. Each purchaser shall determine whether a family–operated group home from which it purchases services shall use the double entry accounting system or the simplified system and shall include this

determination in the purchase of service contract. In this paragraph, "family–operated group home" means a group home licensed under s. 48.66 (1) (a) for which the licensee is one or more individuals who operate not more than one group home.

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 pars. (b) and (c), 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, as determined by the mental health institute.

(c) Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1. and 51.42 (3) (as) 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 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 1002. 46.057 (2) of the statutes is amended to read:

46.057 **(2)** From 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~~ $3,763,200 in fiscal year ~~1997–99~~ 1999–2000 and ~~$3,236,200~~ $3,869,200 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 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. 971.17 (3) (d) or (4) (e), 980.06 (2) ~~(c)~~ (cv) or 980.08 (5) (e) 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 1004. 46.10 (2m) of the statutes is amended to read:

46.10 **(2m)** The liability specified in sub. (2) shall not apply to tuberculosis patients receiving care, maintenance, services and supplies under ss. ~~58.06 and~~ 252.07 to 252.10, to persons 18 and older receiving care, maintenance, services and supplies provided by prisons named in s. 302.01 or to parents of a minor who receives care for alcohol or drug abuse under s. 51.47 (1) without consent of the minor's parent or guardian.

SECTION 1005. 46.18 (1) of the statutes is amended to read:

46.18 **(1)** TRUSTEES. Every county home, infirmary, hospital, ~~tuberculosis hospital or sanatorium,~~ or similar institution, shall, subject to regulations approved by the county board, be managed by a board of trustees, electors of the county, chosen by ballot by the county board. At its annual meeting, the county board shall appoint an uneven number of trustees, from 3 to 9 at the option of the board, for staggered 3–year terms ending the first Monday in January. Any vacancy shall be filled for the

unexpired term by the county board; but the chairperson of the county board may appoint a trustee to fill the vacancy until the county board acts.

SECTION 1006. 46.20 (1) of the statutes is amended to read:

46.20 **(1)** Any 2 or more counties may jointly, by majority vote of all the members of each county board, provide for a county home, infirmary, hospital, ~~tuberculosis hospital or sanatorium,~~ or similar institution, or juvenile detention home, which shall be established, maintained and operated pursuant to all the statutes relating to the establishment, maintenance and operation of similar institutions, respectively, by any single county whose population is less than 250,000, except as otherwise provided in this section; and in all respects, except as herein specified, each such institution shall be the county institution of each of the counties so joining.

SECTION 1007. 46.20 (3) of the statutes is amended to read:

46.20 **(3)** Upon approval of the site, plans and specifications, as provided in ~~s. 252.073 as to tuberculosis sanatoriums and~~ ss. 46.17 and 301.37, as to other institutions, the joint committee shall report to the several county boards the estimated cost of the site and buildings, and the amount thereof chargeable to each county on the basis set forth in sub. (6) (a), appending to each report a copy of the plans and specifications and all matter relating to the site and buildings. If the report is approved by each county board, the joint committee shall purchase the site and cause the buildings to be erected in accordance with the plans and specifications.

SECTION 1008. 46.20 (8) of the statutes is repealed.

SECTION 1009. 46.20 (10) of the statutes is repealed.

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 1014. 46.215 (1g) of the statutes is renumbered 46.215 (1g) (intro.) and amended to read:

46.215 **(1g)** ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN WORKS AGENCY. (intro.) The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the extent permitted by federal law, certify eligibility for and ~~distribute, if~~ determined eligible, issue food coupons ~~under s. 49.143 (2) (e) to eligible participants~~ to all of the following:

(a) Participants in the Wisconsin works program under subch. III of ch. 49.

SECTION 1015. 46.215 (1g) (b) of the statutes is created to read:

46.215 **(1g)** (b) Persons who may be required to participate in the food stamp employment and training program under s. 49.124 (1m), if the department of workforce development has contracted with the Wisconsin works agency to administer the food stamp employment and training program under s. 49.124 (1m).

SECTION 1016. 46.215 (1g) (c) of the statutes is created to read:

46.215 **(1g)** (c) Other persons who are under the age of 61 and who are not disabled, as defined by the department.

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), (kz) 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<u>, 1997 stats.,</u> and 49.26 (1).

SECTION 1023. 46.22 (1) (c) 8. f. of the statutes is created to read:

46.22 **(1)** (c) 8. f. Before July 1, 2006, 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. <u>46.2895 (9),</u> 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<u>, with a resource center, care management organization or family care district,</u> or with any person providing services to the client under a purchase of services contract with the county department of social services <u>or with a resource center, care management organization or family care district</u>, 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), (kz) and (o) according to s. 46.495.

SECTION 1026. 46.22 (1g) of the statutes is renumbered 46.22 (1g) (intro.) and amended to read:

46.22 **(1g)** ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN WORKS AGENCY. (intro.) The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the extent permitted by federal law, certify eligibility for and ~~distribute~~, if determined eligible, issue food coupons ~~under s. 49.143 (2) (e) to eligible participants~~ to all of the following:

(a) Participants in the Wisconsin works program under subch. III of ch. 49.

SECTION 1027. 46.22 (1g) (b) of the statutes is created to read:

46.22 **(1g)** (b) Persons who may be required to participate in the food stamp employment and training program under s. 49.124 (1m), if the department of workforce development has contracted with the Wisconsin works agency to administer the food stamp employment and training program under s. 49.124 (1m).

SECTION 1028. 46.22 (1g) (c) of the statutes is created to read:

46.22 **(1g)** (c) Other persons who are under the age of 61 and who are not disabled, as defined by the department.

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 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 1033. 46.27 (4) (c) (intro.) of the statutes is amended to read:

46.27 **(4)** (c) (intro.) The planning committee shall ~~develop~~ do all of the following:

1. Develop a community options plan for participation in the program. The plan shall include:

SECTION 1034. 46.27 (4) (c) 1. to 7. of the statutes are renumbered 46.27 (4) (c) 1. a. to g.

SECTION 1035. 46.27 (4) (c) 2. of the statutes is created to read:

46.27 **(4)** (c) 2. Advise the county board of supervisors and, if applicable, the county administrator or county executive on whether to apply to the department for a contract to operate a resource center or a care management organization and whether to create a family care district to apply to the department for such a contract.

SECTION 1036. 46.27 (4) (c) 3. of the statutes is created to read:

46.27 **(4)** (c) 3. 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.

SECTION 1037. 46.27 (4) (c) 4. of the statutes is created to read:

46.27 **(4)** (c) 4. Advise care management organizations about whether to offer optional acute and primary health care services and, if so, how these benefits should be offered.

SECTION 1038. 46.27 (4) (c) 8. of the statutes is renumbered 46.27 (4) (c) 1. h. and amended to read:

46.27 **(4)** (c) 1. h. 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 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 pays the premiums established under s. 49.472 (4) (a). If the person pays those premiums, 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 <u>and for a risk reserve under par. (fr)</u>.

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. <u>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).</u>

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. The enhanced reimbursement rate under this paragraph 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 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).

(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 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 determined by the department, 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. 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, contract with one or more entities 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, 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, 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 Council on long–term care. The council on long–term care appointed under s. 15.197 (5) shall do all of the following:

(1) Assist the department in developing broad policy issues related to long–term care services.

(2) 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:

(a) The department's standard contract provisions for resource centers and care management organizations.

(b) The family care benefit, including the per person rate structure for the benefit.

(c) The long–term support community options program under s. 46.27.

(d) The community integration programs under ss. 46.275, 46.277 and 46.278.

(e) Programs other than those under pars (c) and (d) that provide home and community–based services.

(f) The provision of medical assistance services under a fee–for–service system.

(3) Monitor patterns of complaints, grievances and appeals related to long–term care in order to identify issues of statewide importance.

(4) Monitor the numbers of persons on waiting lists.

(5) Review patterns of utilization of various types of services by care management organizations.

(6) Monitor the pattern of care management organization enrollments and disenrollments throughout the state.

(7) 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:

(a) Numbers of persons served.

(b) Costs of long–term care provided under the family care benefit.

(c) The number and service areas of resource centers and care management organizations.

(d) Waiting list information.

(e) Results of reviews of quality of services provided by resource centers and care management organizations.

SECTION 1073. 46.282 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) 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) 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 may contract with a private nonprofit organization to operate a resource center 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).

(c) After the period specified in par. (a), the department may 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 that is entirely separate from an entity that operates a care management organization.

(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.

(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) (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) EXCHANGE OF INFORMATION. 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) 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. During the first 24 months in which the county has a contract under which it accepts a per person per month payment for each enrollee in the care management organization, the department may not contract with

another organization to operate a care management organization in the county unless any of the following applies:

1. The county agrees in writing that at least one additional care management organization is necessary or desirable.

2. 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.

3. 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).

(c) For contracts following the initial contracts specified in par. (b), the department shall, after consulting with the council on long–term care, prescribe criteria to determine the number of care management organizations that are necessary for operation in a county. Under these criteria, the department shall solicit applications, 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.

(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) EXCHANGE OF INFORMATION. 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 1076. 46.284 (2) (c) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

46.284 **(2)** (c) For contracts following the initial contracts specified in par. (b), the department shall~~, after consulting with the council on long–term care,~~ prescribe criteria to determine the number of care management organizations that are necessary for operation in a county. Under these criteria, the department shall solicit applications, certify those applicants that meet the requirements specified in sub. (3) (a), select certified applicants for contract and contract with the selected applicants.

SECTION 1077. 46.285 of the statutes is created to read:

46.285 Operation of resource center and care management organization. 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. All of the following apply to operation of both a resource center and a care management organization:

(1) COUNTY OPERATION. (a) 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.

(b) 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.

(2) TRIBAL OR BAND ORGANIZATION. (a) 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.

(b) 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.

(3) JOINT COUNTY AND TRIBAL OR BAND OPERATION. 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; does not have a primary disabling condition of mental illness, substance abuse or developmental disability; 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 was receiving long–term care services, as specified by the department, 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 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.

(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 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 after receipt of notice of the contested matter, a written request for a hearing that shall be held under procedures for hearing these disputes that are prescribed by the department by rule:

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.

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 of a care management organization regarding the type, amount or quality of the enrollee's services under the family care benefit, other than those specified in par. (a) 1. d. to f., 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) Rights of clients, eligible persons and enrollees that are specified in s. 46.287.

(3) 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".

(4) Procedures and standards for procedures for s. 46.287 (2).

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) 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 contiguous 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 contiguous 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 15 persons, plus one additional member for each county in excess of 2, 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. No member of the board may be an elected or appointed official or an employe 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.

(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 under s. 46.283 or a care management organization under s. 46.284, but not both.

(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), (kz) 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 1085. 46.40 (1) (bm) of the statutes is created to read:

46.40 **(1)** (bm) If the department receives any federal moneys under 42 USC 1396 to 1397e in reimbursement of moneys distributed under par. (a) to counties

having a population of less than 500,000 for the provision of case management services for a child who is a recipient of medical assistance, the department shall distribute those federal moneys under sub. (2) to counties having a population of less than 500,000.

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~~ $277,177,800 for fiscal year ~~1997-98~~ 1999–2000 and ~~$284,948,500~~ $279,462,400 for fiscal year ~~1998–99~~ 2000–01. Of those amounts, the department shall distribute not more than $4,500,000 in each fiscal year, as provided in s. 46.495 (3), based on performance standards developed under s. 46.47 and incorporated into the contracts under s. 46.031 (2g).

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~~ $11,318,600 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 1090. 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 combined amount received under 42 USC 670 to 679a and 42 USC 1396 to 1397e and ~~allocated~~ distributed 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 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.

SECTION 1091. 46.45 (2) (a) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated 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 combined amount received under 42 USC 670 to 679a and 42 USC 1396 to 1397e and distributed 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. A county shall use not less than 50% of the moneys distributed to the county under this paragraph 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, 2006, 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 1092. 46.47 of the statutes is amended to read:

46.47 Community aids performance standards. The department, after consultation with the department of administration and with county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance standards for services funded by community aids funds allocated under s. 46.40. The department shall ~~implement~~ <u>incorporate</u> the performance standards ~~no later than~~

~~July 1, 1996~~ into all contracts under s. 46.031 (2g) that cover contract periods beginning on or after January 1, 2000.

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 1102. 46.495 (1) (am) of the statutes is amended to read:

46.495 **(1)** (am) The department shall reimburse each county from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw), (kz) and (o) for social services as approved by the department under ss. 46.215 (1), (2) (c) 1. and (3) and 46.22 (1) (b) 1. d. and (e) 3. a. except that no reimbursement may be made for the administration of or aid granted under s. 49.02.

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), (kz) 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 1104. 46.495 (3) of the statutes is created to read:

46.495 **(3)** The department shall pay any performance–based distribution under s. 46.40 (2) earned by a county department under s. 46.215, 46.22 or 46.23 by December 31 of the year after the year in which the performance–based distribution was earned. The county department may expend that distribution for any purpose specified in s. 20.435 (7) (b).

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 1121. 46.985 (7) (a) of the statutes is amended to read:

46.985 **(7)** (a) From the appropriations under s. 20.435 (7) (b), (kw), (kz) and (o), the department shall allocate to county departments funds for the administration and implementation of the program.

SECTION 1122. 46.99 of the statutes is created to read:

46.99 Brighter futures initiative. (1) DEFINITION. 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) and (nL), the department, beginning on January 1, 2001, shall distribute $1,250,600 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more, $1,109,300 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 and $7,500 in each fiscal year to applying federally recognized American Indian tribes or bands in this state 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.

(b) From the appropriation under s. 20.435 (3) (ky), the department, beginning on January 1, 2001, shall distribute $769,500 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more, $425,100 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 and $172,500 in each fiscal year to applying federally recognized American Indian tribes or bands in this state to provide programs to accomplish all of the following:

1. Prevent and reduce the incidence of nonmarital pregnancy and increase the use of abstinence as a method of preventing nonmarital pregnancy.

2. Increase adolescent self–sufficiency by encouraging high school graduation, vocational preparedness, improved social and other interpersonal skills and responsible decision making.

(c) A nonprofit corporation, public agency or American Indian tribe or band that is applying for a grant under par. (a) or (b) 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) or (b):

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) or (b) 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 1123. 46.995 of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

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 1125. 46.995 (3) of the statutes is amended to read:

46.995 **(3)** ADOLESCENT PREGNANCY PREVENTION SERVICES. From the appropriation 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 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 1128. 46.997 of the statutes, as affected by 1999 Wisconsin Act .... (this act), 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 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 1131. 48.02 (17) of the statutes is amended to read:

48.02 **(17)** "Shelter care facility" means a nonsecure place of temporary care and physical custody for children, including a holdover room, licensed by the department under s. 48.66 (1) (a).

SECTION 1132. 48.48 (9) of the statutes is amended to read:

48.48 **(9)** To license foster homes or treatment foster homes as provided in s. 48.66 (1) (a) for its own use or for the use of licensed child welfare agencies or, if requested to do so, for the use of county departments.

SECTION 1133. 48.48 (9m) of the statutes is amended to read:

48.48 **(9m)** To license shelter care facilities as provided in s. 48.66 (1) (a).

SECTION 1134. 48.48 (10) of the statutes is amended to read:

48.48 **(10)** To license child welfare agencies and day care centers as provided in s. 48.66 (1) (a).

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 1141. 48.57 (3m) (am) (intro.) of the statutes is amended to read:

48.57 **(3m)** (am) (intro.) From the appropriations 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~~ Subject to par. (ap), a county department and, in a county having a population of 500,000 or more, the department ~~shall~~ may 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 1142. 48.57 (3m) (ap) of the statutes is created to read:

48.57 **(3m)** (ap) Notwithstanding fulfillment of the conditions of eligibility specified in par. (am) 1. to 6., a kinship care relative who is providing care and maintenance for a child is not entitled to receive payments under par. (am).

SECTION 1143. 48.57 (3n) (am) (intro.) of the statutes is amended to read:

48.57 **(3n)** (am) (intro.) From the appropriations 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~~ Subject to par. (ap), a county department and, in a county having a population of 500,000 or more, the department ~~shall~~ may 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 1144. 48.57 (3n) (ap) of the statutes is created to read:

48.57 **(3n)** (ap) Notwithstanding fulfillment of the conditions of eligibility specified in par. (am) 1. to 5r., a long–term kinship care relative who is providing care and maintenance for a child is not entitled to receive payments under par. (am).

SECTION 1145. 48.57 (3n) (ar) (intro.) of the statutes is amended to read:

48.57 **(3n)** (ar) (intro.) Subject to <u>par. (ap) and</u> sub. (3p) (fm) 1m. and (hm), a county department or, in a county having a population of 500,000 or more, the department ~~shall~~ <u>may</u> enter into an agreement under par. (am) 6. if all of the following conditions are met:

SECTION 1146. 48.60 (2) (d) of the statutes is amended to read:

48.60 **(2)** (d) A hospital, maternity hospital, maternity home~~,~~ <u>or</u> nursing home ~~or tuberculosis sanatorium~~ licensed, approved or supervised by the department;

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~~<u>, 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,</u> 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 1149. 48.651 (1) of the statutes is renumbered 48.651 (1m), and 48.651 (1m) (intro.) and (a), as renumbered, are amended to read:

48.651 **(1m)** (intro.) Each ~~county department~~ certifying agency shall certify, according to the standards adopted by the department of workforce development under s. 49.155 (1d), each day care provider reimbursed for child care services provided to families determined eligible under s. 49.155 (1m), unless the provider is a day care center licensed under s. 48.65 or is established or contracted for under s. 120.13 (14). Each ~~county~~ certifying agency may charge a fee to cover the costs of certification. To be certified under this section, a person must meet the minimum requirements for certification established by the department of workforce development under s. 49.155 (1d), meet the requirements specified in s. 48.685 and pay the fee specified in this section. The ~~county~~ certifying agency shall certify the following categories of day care providers:

(a) Level I certified family day care providers, as established by the department of workforce development under s. 49.155 (1d). No ~~county~~ certifying agency may certify a provider under this paragraph if the provider is a relative of all of the children for whom he or she provides care.

SECTION 1150. 48.651 (1g) of the statutes is created to read:

48.651 **(1g)** In this section, "certifying agency" means a county department, a tribal governing body or a Wisconsin works agency, as defined in s. 49.001 (9), whichever the department of workforce development requires under s. 49.155 (3) (a) to administer the child care subsidy program under s. 49.155.

SECTION 1151. 48.651 (2m) of the statutes is amended to read:

48.651 **(2m)** Each ~~county department~~ certifying agency shall provide the department with information about each person who is denied certification for a reason specified in s. 48.685 (2) (a) 1. to 5.

SECTION 1152. 48.653 of the statutes is amended to read:

48.653 Information for day care providers. The department shall provide each day care center licensed under s. 48.65 and each ~~county~~ certifying agency, as defined in s. 48.651 (1g), providing child welfare services with a brochure containing information on basic child care and the licensing and certification requirements for day care providers. Each ~~county agency~~ certifying agency shall provide each day care provider that it certifies with a copy of the brochure.

SECTION 1153. 48.66 (1) of the statutes is renumbered 48.66 (1) (a) and amended to read:

48.66 **(1)** (a) Except as provided ~~under~~ in s. 48.715 (6) and (7), the department shall license and supervise child welfare agencies, as required by s. 48.60, group homes, as required by s. 48.625, shelter care facilities, as required by s. 938.22, and day care centers, as required by s. 48.65. The department may license foster homes or treatment foster homes, as provided by s. 48.62, and may license and supervise county departments in accordance with the procedures specified in this section and in ss. 48.67 to 48.74.

(b) Except as provided ~~under~~ in s. 48.715 (6), the department of corrections may license a child welfare agency to operate a secured child caring institution, as defined in s. 938.02 (15g), for holding in secure custody juveniles who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4d), (4h) or (4m) and referred to the child welfare agency by the court or the department of corrections and to provide supervision, care and maintenance for those juveniles. The department of corrections may also license not more than one county department, as defined in s. 938.02 (2g), to operate a group home that has been licensed under par. (a) as a secured group home, as defined in s. 938.02 (15p), for holding in secure custody juveniles who have been convicted under s. 938.183 or

adjudicated delinquent under s. 938.183 or 938.34 (4h) or (4m) and referred to the department of corrections by the court and to provide supervision, care and maintenance for those juveniles.

(c) A license issued under ~~this subsection~~ par. (a) or (b), other than a license to operate a foster home, treatment foster home ~~or~~, secured child caring institution or secured group home, is valid until revoked or suspended. A license issued under this subsection to operate a foster home, treatment foster home ~~or~~, secured child caring institution or secured group home may be for any term not to exceed 2 years from the date of issuance. No license issued under ~~this subsection~~ par. (a) or (b) is transferable.

SECTION 1154. 48.66 (2m) (a) of the statutes is amended to read:

48.66 **(2m)** (a) The department of health and family services shall require each applicant for a license under sub. (1) (a) to operate a child welfare agency, group home, shelter care facility or day care center who is an individual to provide that department with the applicant's social security number, and shall require each applicant for a license under sub. (1) (a) to operate a child welfare agency, group home, shelter care facility or day care center who is not an individual to provide that department with the applicant's federal employer identification number, when initially applying for or applying to continue the license.

SECTION 1155. 48.66 (2m) (am) of the statutes is amended to read:

48.66 **(2m)** (am) The department of corrections shall require each applicant for a license under sub. (1) (b) to operate a secured child caring institution who is an individual to provide that department with the applicant's social security number when initially applying for or applying to renew the license.

SECTION 1156. 48.66 (2m) (b) of the statutes is amended to read:

48.66 **(2m)** (b) The department of health and family services may not issue or continue a license under sub. (1) (a) to operate a child welfare agency, group home, shelter care facility or day care center to or for an applicant who is an individual unless the applicant has provided the applicant's social security number to that department and may not issue or continue a license under sub. (1) (a) to operate a child welfare agency, group home, shelter care facility or day care center to or for an applicant who is not an individual unless the applicant has provided the applicant's federal employer identification number to that department.

SECTION 1157. 48.66 (2m) (bm) of the statutes is amended to read:

48.66 **(2m)** (bm) The department of corrections may not issue or renew a license under sub. (1) (b) to operate a secured child caring institution to or for an applicant who is an individual unless the applicant has provided the applicant's social security number to that department.

SECTION 1158. 48.68 (1) of the statutes is amended to read:

48.68 **(1)** After receipt of an application for a license, the department shall investigate to determine if the applicant meets the minimum requirements for a license adopted by the department under s. 48.67 and meets the requirements specified in s. 48.685, if applicable. In determining whether to issue or continue a license, the department may consider any action by the applicant, or by an employe of the applicant, that constitutes a substantial failure by the applicant or employe to protect and promote the health, safety and welfare of a child. Upon satisfactory completion of this investigation and payment of the fee required under s. 48.615 (1) (a) or (b), 48.625 (2) (a), 48.65 (3) (a) or 938.22 (7) (b), the department shall issue a license under s. 48.66 (1) (a) or, if applicable, a probationary license under s. 48.69 or, if applicable, shall continue a license under s. 48.66 (5). At the time of initial

licensure and license renewal, the department shall provide a foster home licensee with written information relating to the age–related monthly foster care rates and supplemental payments specified in s. 48.62 (4), including payment amounts, eligibility requirements for supplemental payments and the procedures for applying for supplemental payments.

SECTION 1159. 48.685 (1) (a) of the statutes is renumbered 48.685 (1) (at).

SECTION 1160. 48.685 (1) (am) of the statutes is created to read:

48.685 **(1)** (am) "Certifying agency" has the meaning given in s. 48.651 (1g).

SECTION 1161. 48.685 (2) (a) (intro.) of the statutes is amended to read:

48.685 **(2)** (a) (intro.) Notwithstanding s. 111.335, and except as provided in par. (ad) and sub. (5), <u>if the department, a county department, a child welfare agency, a certifying agency or a school board knows or should know any of the following,</u> the department may not license, or continue or renew the license of, a person to operate an entity, a ~~county department~~ <u>certifying agency</u> may not certify a day care provider under s. 48.651, a county department or a child welfare agency may not license, or renew the license of, a foster home or treatment foster home under s. 48.62 and a school board may not contract with a person under s. 120.13 (14)~~, if the department, county department, child welfare agency or school board knows or should have known any of the following~~:

SECTION 1162. 48.685 (2) (ad) of the statutes is amended to read:

48.685 **(2)** (ad) The department, a county department or a child welfare agency may license a foster home or treatment foster home under s. 48.62, a ~~county department~~ <u>certifying agency</u> may certify a day care provider under s. 48.651 and a school board may contract with a person under s. 120.13 (14), conditioned on the

receipt of the information specified in par. (am) indicating that the person is not ineligible to be certified or contracted with for a reason specified in par. (a) 1. to 5.

SECTION 1163. 48.685 (2) (ag) (intro.) of the statutes is amended to read:

48.685 **(2)** (ag) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), if an entity knows or should know any of the following, the entity may not hire or contract with a person who will be under the entity's control, as defined by the department by rule, and who is expected to ~~have access to its clients, or~~ provide to clients of the entity direct care that is more intensive than negligible care in quantity or quality or in amount of time required to provide the care; or the entity may not permit to reside at the entity a person who is not a client and who is expected to have access to a client~~, if the entity knows or should have known any of the following~~:

SECTION 1164. 48.685 (2) (ag) (intro.) of the statutes, as affected by 1997 Act 27, section 1664f, and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

48.685 (2) (ag) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), if an entity knows or should know any of the following, the entity may not employ or contract with a person who will be under the entity's control, as defined by the department by rule, and who provides to clients of the entity, or is expected to provide to them, direct care that is more intensive than negligible care in quantity or quality or in amount of time required to provide the care; or the entity may not permit to reside at the entity a person who is not a client and who has, or is expected to have, access to a client:

SECTION 1165. 48.685 (2) (am) (intro.) of the statutes is amended to read:

48.685 **(2)** (am) (intro.) Subject to subd. 5. and par. (bd), the department, a county department, a child welfare agency, a certifying agency or a school board shall obtain all of the following with respect to a person specified under par. (a) (intro.) ~~and~~, a person specified under par. (ag) (intro.) who is a nonclient resident or prospective nonclient resident of an entity and ~~shall obtain the information specified in subds. 1. to 5. with respect to~~ a person specified in par. (ag) (intro.) who is under 18 years of age, but not under 12 years of age, and who is an employe, prospective employe, contractor, prospective contractor, nonclient resident or prospective nonclient resident of a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. 48.651:

SECTION 1166. 48.685 (2) (am) 5. of the statutes is amended to read:

48.685 **(2)** (am) 5. Information maintained by the department under this section and under ss. 48.651 (2m), 48.75 (1m) and 120.13 (14) regarding any denial to the person of a license, continuation or renewal of a license, certification or a contract to operate an entity for a reason specified in par. (a) 1. to 5. and regarding any denial to the person of employment at, a contract with or permission to reside at an entity for a reason specified in par. (ag) 1. to 5. If the information obtained under this subdivision indicates that the person has been denied a license, continuation or renewal of a license, certification, a contract, employment or permission to reside as described in this subdivision, the department, a county department, a child welfare agency, a certifying agency or a school board need not obtain the information specified in subds. 1. to 4.

SECTION 1167. 48.685 (2) (b) 1. (intro.) of the statutes is amended to read:

48.685 **(2)** (b) 1. (intro.) Subject to subds. 1. e. ~~and 2.,~~ and 4. and par. (bd), every entity shall obtain all of the following with respect to a person specified under par. (ag) (intro.) who is an employe, prospective employe, contractor or prospective contractor of the entity:

SECTION 1168. 48.685 (2) (b) 2. of the statutes is repealed.

SECTION 1169. 48.685 (2) (b) 4. of the statutes is amended to read:

48.685 **(2)** (b) 4. Subdivision 1. does not apply with respect to a person under 18 years of age, but not under 12 years of age, who is an employe, prospective employe, contractor, prospective contractor, nonclient resident or prospective nonclient resident of a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. 48.651 and with respect to whom the department, a ~~county department~~ certifying agency or a school board is required under par. (am) (intro.) to obtain the information specified in par. (am) 1. to 5.

SECTION 1170. 48.685 (2) (bd) of the statutes is amended to read:

48.685 **(2)** (bd) Notwithstanding pars. (am) and (b) 1., the department, a county department, a child welfare agency, a certifying agency or a school board is not required to obtain the information specified in par. (am) 1. to 5., and an entity is not required to obtain the information specified in par. (b) 1. a. to e., with respect to a person under 18 years of age whose background information form under sub. (6) (am) indicates that the person is not ineligible to be employed, contracted with or permitted to reside at an entity for a reason specified in par. (ag) 1. to 5. and with respect to whom the department, county department, child welfare agency, certifying agency, school board or entity otherwise has no reason to believe that the person is ineligible to be employed, contracted with or permitted to reside at an entity for any

of those reasons. This paragraph does not preclude the department, a county department, a child welfare agency, a certifying agency or a school board from obtaining, at its discretion, the information specified in par. (am) 1. to 5. with respect to a person described in this paragraph who is a nonclient resident or a prospective nonclient resident of an entity.

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, certifying 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 1172. 48.685 (3) (a) of the statutes is amended to read:

48.685 **(3)** (a) Every 4 years or at any time within that period that the department, a county department, a child welfare agency, a certifying agency or a school board considers appropriate, the department, county department, child welfare agency, certifying agency or school board shall request the information specified in sub. (2) (am) 1. to 5. for all persons who are licensed, certified or contracted to operate an entity ~~and~~, for all persons specified in ~~par. (ag) (intro.)~~ sub. (2) (ag) (intro.) who are nonclient residents of an entity and ~~shall request the information specified in sub. (2) (am) 1. to 5.~~ for all persons specified in sub. (2) (ag) (intro.) who are under 18 years of age, but not under 12 years of age, and who are employes, contractors or nonclient residents of a day care center that is licensed

under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care provider that is certified under s. 48.651.

SECTION 1173. 48.685 (3m) of the statutes is amended to read:

48.685 **(3m)** Notwithstanding subs. (2) (b) 1. and (3) (b), if the department, a county department, a child welfare agency, a certifying agency or a school board has obtained the information required under sub. (2) (am) or (3) (a) with respect to a person specified in sub. (2) (a) (intro.) and that person is also an employe, contractor or nonclient resident of an entity, the entity is not required to obtain the information specified in sub. (2) (b) 1. or (3) (b) with respect to that person.

SECTION 1174. 48.685 (5) (a) of the statutes is amended to read:

48.685 **(5)** (a) The department may license to operate an entity, a ~~county department~~ certifying agency may certify under s. 48.651, a county department or a child welfare agency may license under s. 48.62 and a school board may contract with under s. 120.13 (14) a person who otherwise may not be licensed, certified or contracted with for a reason specified in sub. (2) (a) 1. to 5., and an entity may employ, contract with or permit to reside at the entity a person who otherwise may not be employed, contracted with or permitted to reside at the entity for a reason specified in sub. (2) (ag) 1. to 5., if the person demonstrates to the department, the county department, the child welfare agency or the school board by clear and convincing evidence and in accordance with procedures established by the department by rule that he or she has been rehabilitated.

SECTION 1175. 48.685 (5c) (bm) of the statutes is created to read:

48.685 **(5c)** (bm) Any person who is permitted but fails under sub. (5) (a) to demonstrate to a Wisconsin works agency, as defined in s. 49.001 (9), that he or she has been rehabilitated may appeal to the secretary of workforce development or his

or her designee. Any person who is adversely affected by a decision of the secretary or his or her designee under this paragraph has a right to a contested case hearing under ch. 227.

SECTION 1176. 48.685 (5m) of the statutes is amended to read:

48.685 **(5m)** Notwithstanding s. 111.335, the department may refuse to license a person to operate an entity, a county department or a child welfare agency may refuse to license a foster home or treatment foster home under s. 48.62, and an entity may refuse to employ, contract with or permit to reside at the entity a person specified in sub. (2) (ag) (intro.) if the person has been convicted of an offense that the department has not defined as a "serious crime" by rule promulgated under sub. (7) (a), or specified in the list established by rule under sub. (7) (b), but that is, in the estimation of the department, child welfare agency, or entity, substantially related to the care of a client. Notwithstanding s. 111.335, the department may refuse to license a person to operate a day care center, a ~~county department~~ certifying agency may refuse to certify a day care provider under s. 48.651, a school board may refuse to contract with a person under s. 120.13 (14), a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14) and a day care provider that is certified under s. 48.651 may refuse to employ, contract with or permit to reside at the day care center or day care provider a person specified in sub. (2) (ag) (intro.) if the person has been convicted of or adjudicated delinquent on or after his or her 12th birthday for an offense that the department has not defined as a "serious crime" by rule promulgated under sub. (7) (a), or specified in the list established by rule under sub. (7) (b), but that is, in the estimation of the department, ~~county department~~ certifying agency, school board, day care center or day care provider substantially related to the care of a client.

SECTION 1177. 48.685 (6) (a) of the statutes is amended to read:

48.685 **(6)** (a) The department shall require any person who applies for issuance, continuation or renewal of a license to operate an entity, a ~~county department~~ certifying agency shall require any day care provider who applies for initial certification under s. 48.651 or for renewal of that certification, a county department or a child welfare agency shall require any person who applies for issuance or renewal of a license to operate a foster home or treatment foster home under s. 48.62 and a school board shall require any person who proposes to contract with the school board under s. 120.13 (14) or to renew a contract under that subsection, to complete a background information form that is provided by the department.

SECTION 1178. 48.685 (6) (am) 1. of the statutes is amended to read:

48.685 **(6)** (am) 1. A person who is an employe, prospective employe, contractor or prospective contractor of the entity, who will be under the entity's control and who ~~has, or is expected to have, access to its clients, other than a person specified in sub. (2) (b) 2~~ provides to clients of the entity, or is expected to provide to them, direct care that is more intensive than negligible care in quantity or quality or in amount of time required to provide the care.

SECTION 1179. 48.685 (6) (b) of the statutes is renumbered 48.685 (6) (b) 1. and amended to read:

48.685 **(6)** (b) 1. For persons specified ~~under~~ in par. (a) who are licensed by the department, for persons specified in par. (am) 1. who are under 18 years of age, but not under 12 years of age, and who are employes, prospective employes, contractors or prospective contractors of a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care provider that is

certified under s. 48.651, for persons specified in par. (am) 2. who are nonclient residents or prospective nonclient residents of an entity that is licensed by the department, and for other persons specified by the department by rule, the entity shall send the background information form to the department. For all other persons specified in par. (am) 1., the entity shall maintain the background information form on file for inspection by the department, county department, child welfare agency, certifying agency or school board, whichever is applicable.

2. For persons specified ~~under~~ in par. (a) who are licensed ~~or certified~~ by a county department, for persons specified in par. (am) 2. who are nonclient residents or prospective nonclient residents of an entity that is licensed ~~or certified~~ by a county department and for other persons specified by the department by rule, the entity shall send the background information form to the county department.

3. For persons specified ~~under~~ in par. (a) who are licensed by a child welfare agency, for persons specified in par. (am) 2. who are nonclient residents or prospective nonclient residents of an entity that is licensed by a child welfare agency and for other persons specified by the department by rule, the entity shall send the background information form to the child welfare agency.

5. For persons specified ~~under~~ in par. (a) who are contracted with by a school board, for persons specified in par. (am) 2. who are nonclient residents or prospective nonclient residents of an entity that is contracted with by a school board and for other persons specified by the department by rule, the entity shall send the background information form to the school board. ~~For all other persons specified under par. (am) 1., the entity shall maintain the background information form on file for inspection by the department, county department, child welfare agency or school board, whichever is applicable.~~

SECTION 1180. 48.685 (6) (b) 4. of the statutes is created to read:

48.685 **(6)** (b) 4. For persons specified in par. (a) who are certified by a certifying agency, for persons specified in par. (am) 2. who are nonclient residents or prospective nonclient residents of an entity that is certified by a certifying agency and for other persons specified by the department by rule, the entity shall send the background information form to the certifying agency.

SECTION 1181. 48.685 (8) of the statutes is amended to read:

48.685 **(8)** The department, a county department, a child welfare agency, a certifying agency or a school board may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a)~~. The fee~~ or for providing information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b). The department, a county department, a child welfare agency, a certifying agency or a school board may also charge a fee to a person who requests to demonstrate under sub. (5) (a) that the person has been rehabilitated. Fees charged under this subsection 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 1182. 48.69 of the statutes is amended to read:

48.69 Probationary licenses. Except as provided under s. 48.715 (6) and (7), if any child welfare agency, shelter care facility, group home or day care center that has not been previously issued a license under s. 48.66 (1) (a) applies for a license, meets the minimum requirements for a license established under s. 48.67 and pays the applicable fee referred to in s. 48.68 (1), the department shall issue a probationary license to that child welfare agency, shelter care facility, group home or day care center. A probationary license is valid for up to 6 months after the date

of issuance unless renewed under this section or suspended or revoked under s. 48.715. Before a probationary license expires, the department shall inspect the child welfare agency, shelter care facility, group home or day care center holding the probationary license and, except as provided under s. 48.715 (6) and (7), if the child welfare agency, shelter care facility, group home or day care center meets the minimum requirements for a license established under s. 48.67, the department shall issue a license under s. 48.66 (1) (a). A probationary license issued under this section may be renewed for one 6–month period.

SECTION 1183. 48.715 (1) of the statutes is amended to read:

48.715 **(1)** In this section, "licensee" means a person who holds a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, shelter care facility, group home or day care center.

SECTION 1184. 48.715 (2) (a) of the statutes is amended to read:

48.715 **(2)** (a) That a person stop operating a child welfare agency, shelter care facility, group home or day care center if the child welfare agency, shelter care facility, group home or day care center is without a license in violation of s. 48.66 (1) (a) or a probationary license in violation of s. 48.69.

SECTION 1185. 48.715 (2) (b) of the statutes is amended to read:

48.715 **(2)** (b) That a person who employs a person who has had a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous 5 years terminate the employment of that person within 30 days after the date of the order. This paragraph includes employment of a person in any capacity, whether as an officer, director, agent or employe.

SECTION 1186. 48.715 (4) (intro.) of the statutes is amended to read:

48.715 **(4)** (intro.) If the department provides written notice of revocation and the grounds for revocation as provided in sub. (4m) and an explanation of the process for appealing a revocation under this subsection, the department may revoke a license issued under s. 48.66 (1) (a) or a probationary license issued under s. 48.69 for any of the following reasons:

SECTION 1187. 48.715 (5) of the statutes is amended to read:

48.715 **(5)** The department may deny a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to any person who has had a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous 5 years.

SECTION 1188. 48.715 (6) of the statutes is amended to read:

48.715 **(6)** The department of health and family services shall deny, suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, group home, shelter care facility or day care center, and the department of corrections shall deny, suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) (b) to operate a secured child caring institution, for failure of the applicant or licensee to pay court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or for failure of the applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action

taken under this subsection is subject to review only as provided in the memorandum of understanding entered into under s. 49.857 and not as provided in s. 48.72.

SECTION 1189. 48.715 (7) of the statutes is amended to read:

48.715 **(7)** The department shall deny an application for the issuance or continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, group home, shelter care facility or day care center, or revoke such a license already issued, if the department of revenue certifies under s. 73.0301 that the applicant or licensee is liable for delinquent taxes. An action taken under this subsection is subject to review only as provided under s. 73.0301 (5) and not as provided in s. 48.72.

SECTION 1190. 48.78 (3) of the statutes is created to read:

48.78 **(3)** (a) Except as provided under pars. (b) to (d) or by order of the court, no agency may make available for inspection or disclose the contents of any record kept or information received relating to a foster parent, treatment foster parent or family–operated group home, as defined in s. 48.627 (1), parent or a family member of a foster parent, treatment foster parent or family–operated group home parent without first receiving the written permission of the foster parent, treatment foster parent or family–operated group home parent.

(b) Paragraph (a) does not apply to the confidential exchange of information between an agency and another social welfare agency. A social welfare agency that obtains information under this paragraph shall keep the information confidential as required under this section and s. 938.78.

(c) Paragraph (a) does not prohibit an agency from making available for inspection or disclosing the contents of a record under s. 48.981 (7).

(d) Paragraph (a) does not prohibit an agency from disclosing the name and address of a foster parent, treatment foster parent or family–operated group home parent under s. 48.20 (8), 48.227 (2), 48.33 (5), 48.355 (2) (b) 2., 48.357 (1) or (2m) or 48.38 (4) (c).

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 1193. 48.981 (3) (c) 4. of the statutes is amended to read:

48.981 **(3)** (c) 4. The county department or, in a county having a population of 500,000 or more, the department or a licensed child welfare agency under contract with the department shall determine, within 60 days after receipt of a report, whether abuse or neglect has occurred or is likely to occur. The determination shall be based on a preponderance of the evidence produced by the investigation. A determination that abuse or neglect has occurred may not be based solely on the fact that the child's parent, guardian or legal custodian in good faith selects and relies on prayer or other religious means for treatment of disease or for remedial care of the child. In making a determination that emotional damage has occurred, the county department or, in a county having a population of 500,000 or more, the department or a licensed child welfare agency under contract with the department shall give due regard to the culture of the subjects. <u>If a determination contains a finding that a specific person has abused or neglected a child, the county department, department or licensed child welfare agency making the determination shall notify that person in writing, at the time that the person is notified of the determination, of the person's right to appeal under par. (e) and of the method by which the person may appeal.</u> This

subdivision does not prohibit a court from ordering medical services for the child if the child's health requires it.

SECTION 1194. 48.981 (3) (e) of the statutes is created to read:

48.981 **(3)** (e) *Appeal of determination.* If a determination under par. (c) 4. contains a finding that a specific person has abused or neglected a child, that person may appeal that finding in accordance with procedures established by the department.

SECTION 1195. 48.981 (7) (a) 18. of the statutes is created to read:

48.981 **(7)** (a) 18. A child abuse and neglect citizen review panel established by the department or a county department if the panel determines that access to the records of an agency responsible for child protection is necessary for the panel to carry out its functions.

SECTION 1196. 48.981 (7) (cm) of the statutes is amended to read:

48.981 **(7)** (cm) ~~An~~ Notwithstanding par. (a), an agency may disclose information from its records for use in proceedings under s. 48.25 (6), 813.122 or 813.125.

SECTION 1197. 48.981 (7) (d) of the statutes is amended to read:

48.981 **(7)** (d) ~~The~~ Notwithstanding par. (a), the department may have access to any report or record maintained by an agency under this section.

SECTION 1198. 48.981 (7) (dm) of the statutes is created to read:

48.981 **(7)** (dm) Notwithstanding par. (a), an agency may, subject to standards established by the department, disclose to the news media and the general public information from the agency's records concerning a case in which a child died or was placed in serious or critical condition, as certified by a physician, as a result of abuse or neglect. An agency may not disclose under this paragraph any information that

would identify a reporter. Any person who receives any information under this paragraph may disclose that information to anyone.

SECTION 1199. 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 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 received under s. 341.14 (6r) (b) 6.~~

SECTION 1200. 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.,~~ 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~~ $3,734,000 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 1202. 49.015 (1m) 5. of the statutes is created to read:

49.015 **(1m)** 5. The individual has infectious tuberculosis, as defined in s. 252.07 (1g) (a), or suspect tuberculosis, as defined in s. 252.07 (1g) (d).

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 1208. 49.08 of the statutes is amended to read:

49.08 Recovery of relief and other assistance. If any person is the owner of property at the time of receiving general relief under ch. 49, 1993 stats., relief funded by a relief block grant or other assistance as an inmate of any county or municipal institution in which the state is not chargeable with all or a part of the inmate's maintenance or as a tuberculosis patient provided for in ss. ~~58.06 and~~ 252.07 to 252.10, or at any time thereafter, or if the person becomes self–supporting, the authorities charged with the care of the dependent, or the board in charge of the institution, may sue for the value of the relief or other assistance from the person or the person's estate. Except as otherwise provided in this section, the 10–year statute of limitations may be pleaded in defense in an action to recover relief or other assistance. Where the recipient of relief or other assistance is deceased, a claim may be filed against the decedent's 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, surviving spouse or child is dependent on the property for support. 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 kept by the municipality, county or institution are

prima facie evidence of the value of the relief or other assistance furnished. ~~This section shall not apply to any person who receives care for pulmonary tuberculosis as provided in s. 252.08 (4)~~.

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 1210. 49.136 (2) (a) of the statutes is amended to read:

49.136 **(2)** (a) From the allocation under s. 49.155 (1g) (b), the department shall award grants and low–interest loans for the start–up or expansion of child care services.

SECTION 1211. 49.136 (2) (b) of the statutes is amended to read:

49.136 **(2)** (b) The department shall attempt to award grants and low–interest loans 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 1212. 49.136 (7) of the statutes is amended to read:

49.136 **(7)** GRANT AND LOW–INTEREST LOAN ADMINISTRATION. (a) The department shall establish guidelines for eligibility for a grant or a low–interest loan under this section. The department need not promulgate those guidelines as rules under ch. 227.

(b) The department may administer the grant and low–interest loan application ~~process~~ processes under this section or contract for the administration of ~~that process~~ those processes.

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 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 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 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~~ <u>Wisconsin works agency</u> 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 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 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~~ as provided in ss. 46.215 (1g) and 46.22 (1g).

SECTION 1223. 49.143 (2) (em) of the statutes is renumbered 49.143 (2) (em) 1. and amended to read:

49.143 **(2)** (em) 1. ~~Determine~~ Except as provided in subd. 2., determine eligibility for child care assistance under s. 49.155 and refer eligible families to county departments under s. 46.215, 46.22 or 46.23 for child care services.

SECTION 1224. 49.143 (2) (em) 2. of the statutes is created to read:

49.143 **(2)** (em) 2. If required under s. 49.155 (3) (a) or (am), certify child care providers under s. 48.651 and administer child care assistance under s. 49.155.

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, 1997 stats. Active participation on or after October 1, 1996, in the job opportunities and basic skills program ~~begins to count~~ counts 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 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 1230. 49.147 (4) (c) 1g. of the statutes, as affected by 1997 Wisconsin Act 27, is repealed and recreated to read:

49.147 **(4)** (c) 1g. 'Limited participation.' Not more than 2,500 participants statewide may participate under this paragraph at any given time. The department shall allocate the 2,500 slots among the Wisconsin works agencies based on a formula developed by the department.

SECTION 1231. 49.147 (4) (c) 2. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.147 **(4)** (c) 2. 'Eligibility.' A Wisconsin works agency may not place an individual under this paragraph unless the Wisconsin works agency determines that the individual is ~~working at least 15 hours per week in an~~ qualified for unsubsidized

~~job~~ employment but has been unable to secure full–time unsubsidized employment despite reasonable efforts on the part of the individual.

SECTION 1232. 49.147 (4) (c) 3. (intro.) of the statutes, as affected by 1997 Wisconsin Act 27, is renumbered 49.147 (4) (c) 3. and amended to read:

49.147 **(4)** (c) 3. 'Work supplementation.' The Wisconsin works agency may require a participant under this paragraph to work in a community service job for not more than ~~the lesser of the following in a community service job under this paragraph:~~ 30 hours per week and to participate in job search activities for not more than 10 hours per week.

SECTION 1233. 49.147 (4) (c) 3. a. and b. of the statutes, as affected by 1997 Wisconsin Act 27, are repealed.

SECTION 1234. 49.147 (4) (c) 6. of the statutes, as affected by 1997 Wisconsin Act 27, is repealed.

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 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)~~. <u>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 Wisconsin works agency may reduce the monthly grant in accordance with a schedule developed by the department by rule.</u> 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.~~

SECTION 1237. 49.148 (1) (b) 2. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.148 **(1)** (b) 2. For a participant in a community service job under s. 49.147 (4) (c), minimum wage for every hour actually worked in the community service job, not to exceed ~~15~~ <u>30</u> hours per week, paid by the employer, as defined in s. 49.147 (4) (c) 1.

SECTION 1238. 49.151 (1) (f) of the statutes is created to read:

49.151 **(1)** (f) If the individual is a participant under s. 49.147 (4) (c), the individual fails, without good cause, to participate in job search activities required under s. 49.147 (4) (c) 3.

SECTION 1239. 49.155 (1) (ad) of the statutes is created to read:

49.155 **(1)** (ad) "Administering agency" means the county department, a tribal governing body or the Wisconsin works agency that is required by the department under sub. (3) (a) or (am) to administer child care assistance under this section.

SECTION 1240. 49.155 (1) (aj) of the statutes is created to read:

49.155 **(1)** (aj) "County department" means a county department under s. 46.215, 46.22 or 46.23.

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 1242. 49.155 (1) (am) of the statutes is amended to read:

49.155 **(1)** (am) "Level I certified family day care provider" means a day care provider certified under s. 48.651 ~~(1)~~ (1m) (a).

SECTION 1243. 49.155 (1) (b) of the statutes is amended to read:

49.155 **(1)** (b) "Level II certified family day care provider" means a day care provider certified under s. 48.651 ~~(1)~~ (1m) (b).

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 1245. 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~~ $15,178,900 in fiscal year ~~1997–98~~ 1999–2000 and ~~$4,315,000~~ $12,878,900 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 and low–interest loans 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 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 1260. 49.155 (3) (title) of the statutes is amended to read:

49.155 **(3)** (title) ~~COUNTY~~ CHILD CARE ADMINISTRATION.

SECTION 1261. 49.155 (3) (a) of the statutes is repealed and recreated to read:

49.155 **(3)** (a) Except as provided in par. (am), the department may require a Wisconsin works agency, a tribal governing body or a county department to administer child care assistance under this section. If the department requires a county department to administer child care assistance under this section, the Wisconsin works agency shall refer an individual who has been determined eligible under sub. (1m) to the county department for child care assistance.

SECTION 1262. 49.155 (3) (am) of the statutes is created to read:

49.155 **(3)** (am) In a county with a population of 500,000 or more, the department shall require a Wisconsin works agency in that county to administer child care assistance under this section.

SECTION 1263. 49.155 (3) (b) (intro.) of the statutes is amended to read:

49.155 **(3)** (b) (intro.) The ~~county department under s. 46.215, 46.22 or 46.23 shall administer child care assistance under this section. In administering child care assistance under this section, the county department under s. 46.215, 46.22 or 46.23~~ administering agency shall do all of the following:

SECTION 1264. 49.155 (3m) (a) of the statutes is amended to read:

49.155 **(3m)** (a) The department shall reimburse child care providers or shall distribute funds to ~~county departments under s. 46.215, 46.22 or 46.23~~ administering agencies for child care services provided under this section and to private nonprofit agencies that provide child care for children of migrant workers.

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 1269. 49.155 (3m) (c) of the statutes is amended to read:

49.155 **(3m)** (c) From the funds distributed under par. (a), ~~a county~~ an administering agency may provide child care services itself, purchase child care services from a child care provider, provide vouchers to an eligible parent for the payment of child care services provided by a child care provider, reimburse an eligible parent for payments made by the parent to a child care provider for child care services, adopt, with the approval of the department, any other arrangement that the

county considers appropriate or use any combination of these methods to provide child care.

SECTION 1270. 49.155 (3m) (d) of the statutes is amended to read:

49.155 **(3m)** (d) No funds distributed under par. (a) may be used to provide care for a child by a person who resides with the child, unless the ~~county~~ administering agency determines that the care is necessary because of a special health condition of the child.

SECTION 1271. 49.155 (6) (a) of the statutes is amended to read:

49.155 **(6)** (a) Subject to review and approval by the department, each ~~county~~ administering agency or local agency, as defined in s. 49.134 (1) (b), whichever the department selects, shall establish the maximum reimbursement rate for licensed child care services provided under this section. ~~A county~~ An administering agency or local agency shall set the rate so that at least 75% of the number of places for children within the licensed capacity of all child care providers in that county can be purchased at or below that maximum rate.

SECTION 1272. 49.155 (6) (b) of the statutes is amended to read:

49.155 **(6)** (b) Subject to review and approval by the department, each ~~county~~ administering agency shall set a maximum reimbursement rate for Level I certified family day care providers for services provided to eligible individuals under this section. The maximum rate set under this paragraph may not exceed 75% of the rate established under par. (a).

SECTION 1273. 49.155 (6) (c) of the statutes is amended to read:

49.155 **(6)** (c) Subject to review and approval by the department, each ~~county~~ administering agency shall set a maximum reimbursement rate for Level II certified family day care providers for services provided to eligible individuals under this

section. The maximum rate set under this paragraph may not exceed 50% of the rate established under par. (a).

SECTION 1274. 49.155 (7) (a) of the statutes is renumbered 49.155 (7), and 49.155 (7) (intro.), (a) and (b), as renumbered, are amended to read:

49.155 **(7)** REFUSAL TO PAY CHILD CARE PROVIDERS. (intro.) The department or ~~the county department under s. 46.215, 46.22 or 46.23~~ administering agency may refuse to pay a child care provider for child care provided under this section if any of the following applies to the child care provider, employe or person living on the premises where child care is provided:

(a) The person has been convicted of a felony or misdemeanor that the department or ~~county department~~ administering agency determines substantially relates to the care of children.

(b) The person is the subject of a pending criminal charge that the department or ~~county department~~ administering agency determines substantially relates to the care of children.

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~~ or (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 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 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 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 1278. 49.175 (1) (intro.) of the statutes, as affected by 1997 Wisconsin Act 27, section 1857pm, is amended to read:

49.175 **(1)** FUNDS DISTRIBUTION. (intro.) Except as provided in sub. (2), within the limits of the appropriations under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e), (em), ~~(jg),~~ (jL), (k), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the department shall allocate the following amounts for the following purposes:

SECTION 1279. 49.175 (1) (a) of the statutes is repealed.

SECTION 1280. 49.175 (1) (b) 1. of the statutes, as affected by 1997 Wisconsin Acts 27 and 252, is repealed.

SECTION 1281. 49.175 (1) (b) 2. of the statutes is renumbered 49.175 (1) (qm) 2.

SECTION 1282. 49.175 (1) (bc) of the statutes is created to read:

49.175 **(1)** (bc) *Wisconsin works benefits.* For Wisconsin works benefits provided under contracts entered into after December 31, 1999, $42,792, 500 in fiscal year 1999–2000 and $85,584,900 in fiscal year 2000–01.

SECTION 1283. 49.175 (1) (bd) of the statutes is created to read:

49.175 **(1)** (bd) *Wisconsin works administration, services and agency bonuses.* For administration of Wisconsin works, program services under Wisconsin works and performance bonuses to Wisconsin works agencies that have entered into

contracts after December 31, 1999, $71,707,500 in fiscal year 1999–2000 and $143,415,100 in fiscal year 2000–01.

SECTION 1284. 49.175 (1) (bg) of the statutes is repealed.

SECTION 1285. 49.175 (1) (bm) of the statutes is repealed.

SECTION 1286. 49.175 (1) (c) of the statutes is amended to read:

49.175 **(1)** (c) *Wisconsin works agency contingency fund.* For contingency payments to Wisconsin works agencies for ~~subsidized employment and office~~ program costs to be distributed under criteria established by the department, ~~$25,000,000~~ $90,000,000 in the ~~1997–99~~ 1999–2001 fiscal biennium.

SECTION 1287. 49.175 (1) (cr) of the statutes is repealed.

SECTION 1288. 49.175 (1) (d) of the statutes is repealed.

SECTION 1289. 49.175 (1) (e) of the statutes is repealed.

SECTION 1290. 49.175 (1) (f) of the statutes is amended to read:

49.175 **(1)** (f) *State administration of public assistance programs.* For state administration of public assistance programs, ~~$37,449,500~~ $31,905,800 in fiscal year ~~1997–98~~ 1999–2000 and ~~$34,338,100~~ $31,880,800 in fiscal year ~~1998–99~~ 2000–01.

SECTION 1291. 49.175 (1) (fs) of the statutes is amended to read:

49.175 **(1)** (fs) *Food stamps for legal immigrants.* For food stamp benefits provided ~~under s. 49.124 (8)~~ to qualified aliens~~, as defined in 8 USC1641 (b), $4,600,000~~ under s. 49.124 (8), $420,000 in each fiscal year ~~1998–99. Notwithstanding sub. (2), the department may not use any funds allocated under this paragraph for any other purpose under this subsection. This paragraph does not apply to the extent that federally funded food stamp benefits for qualified aliens are restored by the federal government~~.

SECTION 1292. 49.175 (1) (hd) of the statutes is created to read:

49.175 **(1)** (hd) For the individual development accounts program under s. 49.187, $650,000 in each fiscal year.

SECTION 1293. 49.175 (1) (i) of the statutes is repealed.

SECTION 1294. 49.175 (1) (j) of the statutes is repealed.

SECTION 1295. 49.175 (1) (L) of the statutes is repealed.

SECTION 1296. 49.175 (1) (m) of the statutes is amended to read:

49.175 **(1)** (m) *Job access loans.* For job access loans under s. 49.147 (6), ~~$3,645,600~~ $600,000 in each fiscal year ~~1997–98 and $866,900 in fiscal year 1998–99~~.

SECTION 1297. 49.175 (1) (n) of the statutes is amended to read:

49.175 **(1)** (n) *Employment skills advancement grants.* For employment skills advancement grants under s. 49.185, ~~$833,300~~ $100,000 in each fiscal year ~~1997–98 and $1,000,000 in fiscal year 1998–99~~.

SECTION 1298. 49.175 (1) (o) of the statutes is amended to read:

49.175 **(1)** (o) *Direct child care services.* For direct child care services under ~~s.~~ ss. 49.155~~, $155,547,200~~ and 115.3615, $164,450,900 in fiscal year ~~1997–98~~ 1999–2000 and ~~$177,427,200~~ $171,225,000 in fiscal year ~~1998–99~~ 2000–01.

SECTION 1299. 49.175 (1) (p) of the statutes is amended to read:

49.175 **(1)** (p) *Indirect child care services.* For indirect child care services under s. ~~49.131 (2) (b), $6,002,400~~ 49.155 (1g), $18,978,700 in ~~each~~ fiscal year~~.~~ ~~Notwithstanding sub. (2), the department may not use any funds allocated under this paragraph for any other purpose under this subsection~~ 1999–2000 and $16,834,000 in fiscal year 2000–01.

SECTION 1300. 49.175 (1) (pm) of the statutes is created to read:

49.175 **(1)** (pm) *Early childhood excellence initiative.* For grants under s. 49.1375, $10,000,000 in each fiscal year.

SECTION 1301. 49.175 (1) (q) of the statutes is repealed.

SECTION 1302. 49.175 (1) (qm) of the statutes is created to read:

49.175 **(1)** (qm) *Initial contracts.* 1. Except as provided in subd. 2., for contracts under s. 49.143 entered into or renewed prior to December 31, 1999, $32,844,700 in fiscal year 1999–2000.

SECTION 1303. 49.175 (1) (qm) 1. of the statutes, as created by 1999 Wisconsin Act .... (this act), is renumbered 49.175 (1) (qm) and amended to read:

49.175 **(1)** (qm) ~~Except as provided in subd. 2., for~~ For contracts under s. 49.143 entered into or renewed prior to December 31, 1999, $32,844,700 in fiscal year 1999–2000.

SECTION 1304. 49.175 (1) (qm) 2. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1305. 49.175 (1) (qt) of the statutes is created to read:

49.175 **(1)** (qt) *Start–up funding.* For start–up funding for contracts under s. 49.143 entered into after December 31, 1999, $7,184,400 in fiscal year 1999–2000.

SECTION 1306. 49.175 (1) (r) of the statutes is amended to read:

49.175 **(1)** (r) *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 ~~each~~ fiscal year fiscal year 2000–01.

SECTION 1307. 49.175 (1) (s) of the statutes is repealed.

SECTION 1308. 49.175 (1) (sg) of the statutes is created to read:

49.175 **(1)** (sg) *Workforce attachment.* For postemployment services that promote job retention and advancement and improve the basic skills and literacy of

former Wisconsin works participants and of individuals who have not participated in Wisconsin works but who are eligible for temporary assistance for needy families under 42 USC 601 et seq., $10,000,000 in fiscal year 1999–2000 and $20,000,000 in fiscal year 2000–01.

SECTION 1309. 49.175 (1) (t) of the statutes is amended to read:

49.175 **(1)** (t) *Transportation assistance.* For transportation assistance under s. 49.157, ~~$1,000,000~~ $200,000 in fiscal year ~~1997–98~~ 1999–2000 and $2,000,000 in fiscal year ~~1998–99. The department may not distribute the funds under this paragraph unless the joint committee on finance supplements the appropriate appropriation from the appropriation under s. 20.865 (4) (m)~~ 2000–01.

SECTION 1310. 49.175 (1) (u) of the statutes is amended to read:

49.175 **(1)** (u) *Hospital paternity incentives.* For hospital paternity incentive payments under s. 69.14 (1) (cm), ~~$54,000~~ $91,900 in each fiscal year ~~1997–98 and $144,000 in fiscal year 1998–99~~.

SECTION 1311. 49.175 (1) (v) of the statutes is amended to read:

49.175 **(1)** (v) *Passports for youth program.* For the passports for youth program operated by the YMCA of Metropolitan Milwaukee, ~~$500,000~~ $300,000 in ~~each~~ 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.

SECTION 1312. 49.175 (1) (ve) of the statutes is created to read:

49.175 **(1)** (ve) *Literacy initiative.* For literacy programs targeted at individuals who are eligible for temporary assistance to needy families under 42 USC 601 et seq., $2,150,000 in each fiscal year.

SECTION 1313. 49.175 (1) (vL) of the statutes is created to read:

49.175 **(1)** (vL) *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., $5,000,000 in fiscal year 1999–2000 and $15,000,000 in fiscal year 2000–01.

SECTION 1314. 49.175 (1) (vm) of the statutes is created to read:

49.175 **(1)** (vm) *Work–based learning programs for youth.* For work–based learning programs for youth funded from the appropriation under s. 20.445 (7) (kc), $2,981,800 in fiscal year 1999–2000 and $6,084,500 in fiscal year 2000–01.

SECTION 1315. 49.175 (1) (vr) of the statutes is created to read:

49.175 **(1)** (vr) *Youth workforce mentoring.* For administrative support for a youth workforce mentoring program under which retirees are matched with youth, $55,000 in each fiscal year.

SECTION 1316. 49.175 (1) (vt) of the statutes is created to read:

49.175 **(1)** (vt) *Fatherhood initiative.* For a grant program to promote fathers' involvement in their children's lives, $75,000 in fiscal year 1999–2000.

SECTION 1317. 49.175 (1) (vv) of the statutes is created to read:

49.175 **(1)** (vv) *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.

SECTION 1318. 49.175 (1) (w) (title) of the statutes is amended to read:

49.175 **(1)** (w) (title) ~~*Transfer of federal funds to*~~ *Programs administered by the department of health and family services.*

SECTION 1319. 49.175 (1) (w) (intro.) of the statutes is repealed.

SECTION 1320. 49.175 (1) (w) 1. of the statutes is amended to read:

49.175 **(1)** (w) 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), ~~$15,720,400~~ $26,322,200 in fiscal year ~~1997–98~~ 1999–2000 and ~~$22,116,400~~ $26,618,500 in fiscal year ~~1998–99~~ 2000–01.

SECTION 1321. 49.175 (1) (w) 2. of the statutes is amended to read:

49.175 **(1)** (w) 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, ~~$5,550,200~~ $9,173,200 in fiscal year ~~1997–98~~ 1999–2000 and ~~$13,260,000~~ $11,066,900 in fiscal year ~~1998–99~~ 2000–01.

SECTION 1322. 49.175 (1) (w) 3. of the statutes is amended to read:

49.175 **(1)** (w) 3. 'Community aids.' For community aids, $31,800,000 in ~~each~~ fiscal year 1999–2000 and $18,092,300 in fiscal year 2000–01.

SECTION 1323. 49.175 (1) (w) 4. of the statutes is repealed.

SECTION 1324. 49.175 (1) (w) 5. of the statutes is created to read:

49.175 **(1)** (w) 5. 'Badger care.' For eligibility determinations under the badger care program under s. 49.665, $4,500,000 in each fiscal year.

SECTION 1325. 49.175 (1) (w) 6. of the statutes is created to read:

49.175 **(1)** (w) 6. 'Early identification of pregnancy.' For outreach and services under s. 253.085 to low–income pregnant women, $100,000 in each fiscal year.

SECTION 1326. 49.175 (1) (w) 7. of the statutes is created to read:

49.175 **(1)** (w) 7. '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, $500,000 in each fiscal year.

SECTION 1327. 49.175 (1) (w) 8. of the statutes is created to read:

49.175 **(1)** (w) 8. 'Adolescent services and pregnancy prevention programs.' For adolescent services and pregnancy prevention programs, $1,806,400 in each fiscal year.

SECTION 1328. 49.175 (1) (x) of the statutes is created to read:

49.175 **(1)** (x) *Brownfields.* For grants under s. 560.13 (2) (am), $5,000,000 in each fiscal year.

SECTION 1329. 49.175 (1) (y) of the statutes is created to read:

49.175 **(1)** (y) *Badger Challenge program.* For the Badger Challenge program under s. 21.25, $332,700 in each fiscal year.

SECTION 1330. 49.175 (1) (z) of the statutes is created to read:

49.175 **(1)** (z) *Aid to Milwaukee Public Schools.* For aid to the school district operating under ch. 119 under ss. 119.71, 119.72, 119.75 and 119.82, $7,570,000 in each fiscal year.

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<u>, 1997 stats.,</u> 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)<u>, 1997 stats.</u>, 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)** 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 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~~ <u>4 years and 6 months</u> 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 1349. 49.23 (1) of the statutes is amended to read:

49.23 **(1)** From the appropriation under s. 20.445 (3) ~~(cb)~~ (k), the department shall award grants to counties for programs to revise child support orders. Each county receiving a grant shall review child support orders awarded to persons who receive benefits under s. 48.57 (3m) or (3n) or 49.148 or whose children receive benefits under s. 49.19 and to persons who do not receive benefits under s. 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19 and shall initiate actions to revise the orders based on that review. Each county receiving a grant shall review child support orders awarded to persons who receive benefits under s. 48.57 (3m) or (3n) or 49.148 or whose children receive benefits under s. 49.19 and child support orders awarded to persons who do not receive benefits under s. 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19 in proportion to the number of those 2 categories of orders in the county's child

support case load. Before a county may initiate an action to revise a child support order under this subsection for a person who does not receive benefits under s. 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19, the custodial parent of the children must voluntarily consent to the revision.

SECTION 1350. 49.23 (2) (a) (intro.) of the statutes is amended to read:

49.23 **(2)** (a) (intro.) From the appropriation under s. 20.445 (3) ~~(cb)~~ (k), the department shall provide state incentive payments, in a total amount of not less than $259,000 in each fiscal year, to counties that meet the child support collection and child support administrative efficiency criteria, according to a distribution formula determined by the department that does all of the following:

SECTION 1351. 49.23 (2) (a) 3. 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~~ $3,850,000 in fiscal year ~~1997–98~~ 1999–2000 or $3,850,000 in fiscal year ~~1998–99~~ 2000–01.

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 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 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 1363. 49.45 (2) (a) 9. of the statutes is amended to read:

49.45 **(2)** (a) 9. Periodically ~~set forth~~ prescribe conditions of participation and terms of reimbursement ~~in a contract with provider~~ of service under this section.

SECTION 1364. 49.45 (2) (a) 10. of the statutes is renumbered 49.45 (2) (a) 10. a. and amended to read:

49.45 **(2)** (a) 10. a. ~~After reasonable notice and opportunity for hearing, recover~~ Recover money improperly or erroneously paid~~,~~ or overpayments to a provider ~~either~~ by offsetting or adjusting amounts owed the provider under the program, crediting against a provider's future claims for reimbursement for other services or items furnished by the provider under the program~~, or by~~ or requiring the provider to make direct payment to the department or its fiscal intermediary.

SECTION 1365. 49.45 (2) (a) 10. b. of the statutes is created to read:

49.45 **(2)** (a) 10. b. Promptly afford the provider an opportunity to present information and argument regarding a recovery imposed under this subdivision, but the department need not stay collection of the amount to be recovered pending that opportunity.

SECTION 1366. 49.45 (2) (a) 10. c. of the statutes is created to read:

49.45 **(2)** (a) 10. c. Establish a deadline for payment of a recovery imposed under this subdivision and, if a provider fails to pay all of the amount to be recovered by the deadline, require payment by the provider of interest on any delinquent amount at the rate of 1% per month or fraction of a month from the date of the overpayment.

SECTION 1367. 49.45 (2) (a) 11. of the statutes is amended to read:

49.45 **(2)** (a) 11. Establish criteria for ~~the~~ certification of ~~eligible~~ providers of ~~services under Title XIX of the social security act~~ medical assistance and, except as provided in par. (b) 6. and 7. and s. 49.48, certify ~~such eligible~~ providers who meet the criteria.

SECTION 1368. 49.45 (2) (a) 12. of the statutes is amended to read:

49.45 **(2)** (a) 12. Decertify ~~or suspend under this subdivision~~ a provider from or restrict a provider's participation in the medical assistance program, if after giving reasonable notice and opportunity for hearing~~,~~ the department finds that the provider has violated a federal statute or regulation or a state ~~law~~ statute or administrative rule and ~~such violations are~~ the violation is by ~~law~~ statute, regulation or rule grounds for decertification or ~~suspension~~ restriction. The department shall suspend the provider pending the hearing under this subdivision if the department includes in its decertification notice findings that the provider's continued participation in the medical assistance program pending hearing is likely to lead to the irretrievable loss of public funds and is unnecessary to provide adequate access to services to medical assistance recipients. As soon as practicable after the hearing, the department shall issue a written decision. No payment may be made under the medical assistance program with respect to any service or item furnished by the provider subsequent to decertification or during the period of suspension.

SECTION 1369. 49.45 (2) (a) 13. of the statutes is amended to read:

49.45 **(2)** (a) 13. Impose additional sanctions for noncompliance with the conditions of participation and terms of ~~provider agreements~~ reimbursement under subd. 9. or certification criteria established under subd. 11. and, if prescribed by the department, under par. (b) 6. or 7.

SECTION 1370. 49.45 (2) (a) 14. of the statutes is repealed.

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 1372. 49.45 (2) (b) 6. of the statutes is created to read:

49.45 **(2)** (b) 6. Prescribe criteria for certification of providers of medical assistance that limit the number of providers of particular services or that limit the amount of resources, including employes and equipment, that a certified provider may use to provide particular services to medical assistance recipients, if the department finds all of the following:

a. That existing certified providers and resources provide services that are adequate in quality and amount to meet the need of medical assistance recipients for the particular services.

b. That the potential for medical assistance fraud or abuse exists if additional providers are certified or additional resources are used by certified providers.

SECTION 1373. 49.45 (2) (b) 7. of the statutes is created to read:

49.45 **(2)** (b) 7. Require, as a condition of certification under par. (a) 11., all providers of a specific service that is among those enumerated under s. 49.46 (2) (b)

or 49.47 (6) (a), as specified in this subdivision, to file with the department a surety bond issued by a surety company licensed to do business in this state. Providers subject to this subdivision provide those services specified under s. 49.46 (2) (b) or 49.47 (6) (a) for which providers have demonstrated significant potential to violate s. 49.489 (2) or (3) or 49.49 (1) (a), (2) (a) or (b), (3), (3m) (a), (3p), (4) (a) or (4m) (a), to require recovery under par. (a) 10. or to need additional sanctions under par. (a) 13. The surety bond shall be payable to the department and in an amount that would reasonably pay the amount of a recovery and the department's costs to pursue recovery under par. (a) 10. or to investigate and pursue allegations of violations of s. 49.489 or 49.49. The department shall promulgate rules under this subdivision that specify all of the following:

a. Services under medical assistance for which providers have demonstrated significant potential to violate s. 49.489 (2) or (3) or 49.49 (1) (a), (2) (a) or (b), (3), (3m) (a), (3p), (4) (a) or (4m) (a), to require recovery under par. (a) 10. or to need additional sanctions under par. (a) 13.

b. The amount or amounts of the surety bonds.

c. Terms of the surety bond, including amounts, if any, without interest to be refunded to the provider upon withdrawal or decertification from 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 1376. 49.45 (3) (f) 3. of the statutes is amended to read:

49.45 **(3)** (f) 3. Contractors under sub. (2) (b) shall maintain records as required by the department for audit purposes. ~~Contractors~~ Upon request of the department, contractors shall immediately provide the department access to the records ~~upon request of the department, and~~, which the department may audit ~~the records~~.

SECTION 1377. 49.45 (3) (g) of the statutes is amended to read:

49.45 **(3)** (g) The secretary may ~~appoint~~ authorize personnel to audit or investigate and report to the department on any matter involving violations or complaints alleging violations of ~~laws~~ statutes, regulations, or rules applicable to ~~Title XIX of the federal social security act or~~ the medical assistance program and to perform such investigations or audits as are required to verify the actual provision of services or items available under the medical assistance program and the appropriateness and accuracy of claims for reimbursement submitted by providers participating in the program. Department employes ~~appointed~~ authorized by the secretary under this paragraph shall be issued, and shall possess at all times ~~during which~~ while they are performing their investigatory or audit functions under this section, identification, signed by the secretary ~~which~~, that specifically designates the bearer as possessing the authorization to conduct medical assistance investigations or audits. ~~Pursuant to~~ Under the request of a designated person and upon presentation of ~~that~~ the person's authorization, providers and medical assistance

recipients shall immediately accord ~~such~~ the person access to any provider personnel, records, books~~, recipient medical records,~~ or documents or other information needed. Under the written request of a designated person and upon presentation of the person's authorization, providers and recipients shall immediately accord the person access to any needed patient health care records of a recipient. Authorized employes ~~shall have authority to~~ may hold hearings, administer oaths, take testimony and perform all other duties necessary to bring ~~such~~ the matter before the department for final adjudication and determination.

SECTION 1378. 49.45 (3) (h) 1. of the statutes is repealed.

SECTION 1379. 49.45 (3) (h) 2. of the statutes is repealed.

SECTION 1380. 49.45 (3) (h) 3. of the statutes is renumbered 49.45 (3) (h) and amended to read:

49.45 **(3)** (h) The failure or refusal of a ~~person to purge himself or herself of contempt found under s. 885.12 and perform the act as required by law shall constitute~~ provider immediately to accord department auditors under par. (f) 3. or investigators under par. (g) access to any provider personnel, records, books, patient health care records of medical assistance recipients or documents or other information requested constitutes grounds for decertification or suspension of ~~that person~~ the provider from participation in the medical assistance program and no payment may be made for services rendered by ~~that person subsequent to~~ the provider following decertification or during the period of suspension.

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 1390. 49.45 (6m) (ag) 3m. of the statutes is repealed.

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) <u>or, if required under s. 50.035 (4n) or 50.04 (2h), who have been referred to a resource center</u>.

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)~~ <u>(4)</u> (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)~~ <u>(4)</u> (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 1420. 49.45 (13) (a) of the statutes is amended to read:

49.45 **(13)** (a) The department may require ~~service~~ providers to prepare and submit cost reports or financial reports for purposes of rate certification under Title XIX of the federal Social Security Act, cost verification, fee schedule determination or research and study purposes. These financial reports may include independently audited financial statements ~~which shall include~~, including balance sheets and statements of revenues and expenses. The department may withhold

reimbursement or may decrease or not increase reimbursement rates if a provider does not submit the reports required under this paragraph within the period specified by the department or if the costs on which the reimbursement rates are based cannot be verified from the provider's cost or financial reports ~~or records from which the reports are derived~~.

SECTION 1421. 49.45 (13) (b) of the statutes is amended to read:

49.45 **(13)** (b) ~~The~~ In addition to the remedies specified under par. (a), the department may require any provider who fails to submit a cost report or financial report under par. (a) within the period specified by the department to forfeit not less than $10 nor more than $100 for each day the provider fails to submit the report. A provider may contest the imposition of a forfeiture under this paragraph by submitting a written request for a hearing under s. 227.44 to the department within 10 days following the date on which the provider received notice of the forfeiture.

SECTION 1422. 49.45 (21) (a) of the statutes is renumbered 49.45 (21) (a) (intro.) and amended to read:

49.45 **(21)** (a) (intro.) ~~If any~~ Before a provider ~~liable for repayment of improper or erroneous payments or overpayments under ss. 49.43 to 49.497~~ sells or otherwise transfers ownership of his or her business or all or substantially all of the assets of the business, ~~the transferor and transferee are each liable for the repayment. Prior to final transfer, the transferee is responsible for contacting the department and ascertaining if the transferor is liable under this paragraph.~~ all of the following shall take place:

SECTION 1423. 49.45 (21) (a) 1. to 6. of the statutes are created to read:

49.45 **(21)** (a) 1. The provider shall notify the department of the proposed sale or other transfer.

2. Upon notification under subd. 1., the department shall inform the provider of the extent of the provider's liability, if any, for repayment of improper or erroneous payments or overpayments under ss. 49.43 to 49.497.

3. If the department informs the provider under subd. 2. that the provider has liability, the provider shall so inform the prospective buyer or other transferee.

4. If the provider informs the prospective buyer or other transferee under subd. 3., joint and several liability for the repayment attaches to the provider and to the prospective buyer or other transferee and the sale or other transfer is conditioned upon repayment.

5. If the provider fails to notify the prospective buyer or other transferee under subd. 3., no liability for the repayment attaches to the prospective buyer or other transferee.

6. The provider and, if subd. 4. applies, the prospective buyer or other transferee shall repay the amount of improper or erroneous payments or overpayments under ss. 49.43 to 49.497 for which the provider and, if subd. 4. applies, the prospective buyer or other transferee have liability.

SECTION 1424. 49.45 (21) (b) of the statutes is amended to read:

49.45 **(21)** (b) If a sale or other transfer specified in par. (a) occurs and the applicable amount under par. (a) has not been repaid, the ~~department may proceed against either the transferor or the transferee. Within 30 days after receiving notice from the department, the transferor or the transferee shall pay the amount in full. Upon failure to comply, the~~ sale or other transfer is void. The department may bring an action to compel payment~~. If a transferor fails to pay within 90 days after receiving notice from the department, the department~~ or may proceed under sub. (2) (a) 12., or both.

SECTION 1425. 49.45 (24h) of the statutes is created to read:

49.45 **(24h)** PAYMENT RATES FOR DENTAL SERVICES. (a) From the appropriation under s. 20.435 (4) (b), the department shall provide an increase in the rate of payment to providers of dental services specified under ss. 49.46 (2) (b) 1. and 49.47 (6) (a) 1. who provide the services on a fee–for–service basis. For state fiscal year 1999–2000, the total increase is an amount equal to the lesser of 10% over that paid from this appropriation for the dental services in state fiscal year 1998–99 or $1,225,300. For state fiscal year 2000–01, the total increase is an amount equal to the least of all of the following:

1. Ten percent over the amount paid for the dental services from the appropriation in state fiscal year 2000–01.

2. An amount equal to $1,504,200.

3. Whatever percentage over the amount paid for the dental services from the appropriation in state fiscal year 2000–01 equals the percentage of increase in the number of medical assistance recipients receiving dental services on a fee–for–service basis in state fiscal year 2000–01 over the number receiving dental services on a fee–for–service basis in state fiscal year 1999–2000. By September 1, 2000, the department shall determine the percentage figure under this subdivision.

(b) Calculation of the payments under this subsection excludes estimated changes in total payments reflected in the intentions of the joint committee on finance, legislature and governor as expressed by them in the budget determinations attributable to changes in recipient utilization of dental services provided on a fee–for–service basis.

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)~~ (4) (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 1427. 49.45 (25m) of the statutes is created to read:

49.45 **(25m)** MANAGED CARE FOR CHILDREN IN FOSTER CARE. The department may request a waiver from the secretary of the federal department of health and human services to allow the department to require a child who is in foster care to enroll in a managed care plan as a condition of receiving medical assistance. If the waiver is granted and in effect, the department may require a child who is in foster care to enroll in a managed care plan as a condition of receiving medical assistance.

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 $100, plus a biennial fee of $20 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. A transfer to an annuity, or a transfer by 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. The periodic payments back to the transferor include principal and interest that, at the time that the transfer is made, is at least at the prime lending rate as reported by the federal reserve board in federal statistical release H. 15.

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 the prime lending rate, as reported by the federal reserve board in federal statistical release H. 15., and the inequality is caused exclusively by fluctuations in that rate.

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.

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 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 <u>or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c)</u>.

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), not to exceed $500 per year per person.

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 <u>or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c)</u> 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 <u>or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c)</u>.

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 net income, including income that would be deemed to the individual under 20 CFR 416.1160, 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 disregard the income specified under 42 USC 1382a (b).

(b) The individual's assets do not exceed $20,000. 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 in excess of the limit established under 42 USC 1396d (q) (2) (B) and unearned income that is disregarded under sub. (4) (a) 2.

(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 (c) 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.

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.

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.

(c) The department shall assess a one–time entry premium based on a sliding scale established by the department by rule and according to an individual's gross income. In calculating an individual's gross income, the department may treat earned and unearned income differently. The department may waive all or part of

the entry premium, or extend the time period for payment of the entry premium, for an individual if the department determines that any of the following is true:

1. Assessment of the premium would impose an undue hardship on the individual and, would fail to remove barriers to employment for the individual or would fail to increase access to health care for the individual.

2. Assessment of the premium would reduce the cost–effectiveness of the medical assistance purchase plan.

(5) COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s. 20.435 (7) (bd), the department shall pay the entry premium established under sub. (4) (c) for a person who is a participant in the community options program under s. 46.27 (7), and may pay the entry premium calculated under sub. (4) (c) or 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). No individual who is a participant in the community options program under s. 46.27 (11) may be required to pay a monthly premium calculated under sub. (4) (a) if the individual pays the amount calculated under s. 46.27 (6u) (c) 2.

(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 1442. 49.475 (6) of the statutes is created to read:

49.475 **(6)** SHARING INFORMATION. The department may provide to the department of workforce development any information that the department receives under this section. The 2 departments shall agree on procedures and methods to adequately safeguard the confidentiality of the information provided.

SECTION 1443. 49.489 of the statutes is created to read:

49.489 False claims or statements prohibited. (1) In this section:

(a) "Claim" means a request submitted by a provider for payment for services or items furnished by the provider under the medical assistance program.

(b) "Statement" means a representation, certification, affirmation, document, record or accounting or bookkeeping entry made with respect to a claim or to obtain approval or payment of a claim.

(2) No provider may submit a claim or cause a claim to be submitted if the provider knows or should know any of the following:

(a) That the claim is false.

(b) That the claim includes or is supported by a written statement that asserts a material fact that is false.

(c) That the claim includes or is supported by a written statement that omits a material fact that the provider has a duty to include and, by reason of the omission, is false.

(3) No provider may make or cause to be made a written statement that contains or is accompanied by an express certification or affirmation of the truthfulness and accuracy of the statement if the provider knows or should know any of the following:

(a) That the statement asserts a material fact that is false.

(b) That the statement omits a material fact that the provider has a duty to include and, by reason of the omission, is false.

(4) For purposes of subs. (2) and (3), all of the following apply:

(a) Each claim form constitutes a separate claim.

(b) Each representation, certification, affirmation, document, record or accounting or bookkeeping entry constitutes a separate statement.

(c) A claim is subject to this section regardless of whether the claim is actually paid.

(d) A claim is considered to be made when it is received by the fiscal agent.

(e) Except as provided in par. (f), a statement is considered to be made when it is received by the fiscal agent.

(f) A statement that is not submitted to a fiscal agent but is retained by the provider to support a claim is considered to be made when it is entered in the provider's books, files or other records.

(5) Any person who violates sub. (2) or (3) may be required to forfeit not more than $5,000 for each offense.

(6) If the department assesses a forfeiture under sub. (5) for a violation of sub. (2), the department may impose on the violator, in addition to the forfeiture, a false claim surcharge in an amount that is not more than 200% of the amount of the claim in regard to which sub. (2) was found to have been violated.

(7) The department may directly assess a forfeiture provided for in sub. (5). If the department determines that a forfeiture should be assessed for a particular violation, the department shall send a notice of assessment to the alleged violator. The notice shall specify the amount of the forfeiture assessed, the violation and the statute alleged to have been violated and shall inform the alleged violator of the right to a hearing under sub. (8).

(8) An alleged violator may contest an assessment of a forfeiture by sending, within 30 days after receipt of the notice under sub. (7), 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 after 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. 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.

(9) All forfeitures and false claim surcharges, if any, shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under sub. (8), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed. The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund. The department shall credit all false claims surcharges to the appropriation account under s. 20.435 (1) (kx).

(10) The attorney general may bring an action in the name of the state to collect any forfeiture or false claim surcharge imposed under this section if the forfeiture or false claim surcharge has not been paid following the exhaustion of all administrative and judicial reviews. The only issue to be contested in any such action is whether the forfeiture or false claim surcharge has been paid.

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 <u>AND INPATIENTS AT HOSPITALS</u>.

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<u>, or if the recipient resides in a hospital and is required to contribute to the cost of care,</u> and <u>the recipient</u> cannot reasonably be expected to be discharged from the nursing home <u>or hospital</u> 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 1457. 49.496 (3) (b) of the statutes is amended to read:

49.496 **(3)** (b) A claim under par. (a) is not allowable ~~if~~ while the decedent has a surviving child who is under age 21 or disabled or a surviving spouse.

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 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 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. The department shall establish by state plan amendment 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.

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. (b), 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 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~~ $150 per month per dependent child.

SECTION 1485. 49.85 (2) (a) of the statutes is amended to read:

49.85 **(2)** (a) At least annually, the department of health and family services shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of health and family services, the department of health and family services has determined that it may recover under s. 49.45 (2) (a) 10. or 49.497, except that the department of health and family services may not certify an amount under this subsection unless it has met the notice requirements under sub. (3) and unless its determination has either not been appealed or is no longer under appeal.

SECTION 1486. 49.85 (3) (a) 1. of the statutes is amended to read:

49.85 **(3)** (a) 1. Inform the person that the department of health and family services intends to certify to the department of revenue an amount that the department of health and family services has determined to be due under s. 49.45 (2) (a) 10. or 49.497, for setoff from any state tax refund that may be due the person.

SECTION 1487. 49.855 (7) of the statutes is repealed.

SECTION 1488. 49.857 (1) (d) 3. of the statutes is amended to read:

49.857 **(1)** (d) 3. A license issued under s. 48.66 (1) (a) or (b).

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 lump sum 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 1492. 50.01 (6h) of the statutes is created to read:

50.01 **(6h)** "Secretary" means the secretary of health and family services.

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 1494. 50.03 (13) (a) of the statutes is amended to read:

50.03 **(13)** (a) *New license.* Whenever ownership of a facility is transferred from the person or persons named in the license to any other person or persons, the transferee must obtain a new license. The license may be a probationary license. Penalties under sub. (1) shall apply to violations of this subsection. The transferee shall notify the department of the transfer, file an application under sub. (3) (b) and apply for a new license at least 30 days prior to final transfer. Retention of any interest required to be disclosed under sub. (3) (b) after transfer by any person who held such an interest prior to transfer may constitute grounds for denial of a license where violations of this subchapter for which notice had been given to the transferor are outstanding and uncorrected, if the department determines that effective control over operation of the facility has not been transferred. If the transferor was a provider under s. 49.43 (10), the transferee <u>and transferor</u> shall comply with s. 49.45 (21).

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~~ $142.50. 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 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~~ $323, plus a biennial fee of ~~$22~~ $41.80 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)** (a) 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 1516. 50.065 (2) (a) (intro.) of the statutes is amended to read:

50.065 **(2)** (a) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), if the department knows or should know any of the following, the department may not license, certify, issue a certificate of approval to or register a

person to operate an entity or continue the license, certification, certificate of approval or registration of a person to operate an entity ~~if the department knows or should have known any of the following~~:

SECTION 1517. 50.065 (2) (ag) (intro.) of the statutes is amended to read:

50.065 **(2)** (ag) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), if an entity knows or should know any of the following, the entity may not hire or contract with a person who will be under the entity's control, as defined by the department by rule, and who is expected to ~~have access to its clients, or~~ provide to clients of the entity direct care that is more intensive than negligible care in quantity or quality or in amount of time required to provide the care; or the entity may not permit to reside at the entity a person who is not a client and who is expected to have access to a client~~, if the entity knows or should have known any of the following~~:

SECTION 1518. 50.065 (2) (ag) (intro.) of the statutes, as affected by 1997 Wisconsin Act 27, section 2059f, and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

50.065 **(2)** (ag) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), if an entity knows or should have known any of the following, the entity may not employ or contract with a person who will be under the entity's control, as defined by the department by rule, and who provides to clients of the entity, or is expected to provide to them, direct care that is more intensive than negligible care in quantity or quality or in the amount of time required to provide the care; or the entity may not permit to reside at the entity a person who is not a client and who has, or is expected to have, access to a client:

SECTION 1519. 50.065 (2) (b) 1. (intro.) of the statutes is amended to read:

50.065 **(2)** (b) 1. (intro.) Subject to subds. 1. e. ~~and 2.~~ and par. (bd), every entity shall obtain all of the following with respect to a person specified under par. (ag) (intro.) who is an employe or contractor or a prospective employe or contractor of the entity:

SECTION 1520. 50.065 (2) (b) 2. of the statutes is repealed.

SECTION 1521. 50.065 (6) (am) 1. of the statutes is amended to read:

50.065 **(6)** (am) 1. A person who is an employe, prospective employe, contractor or prospective contractor of the entity, who will be under the entity's control and who ~~has, or is expected to have, access to its clients, other than a person specified in sub. (2) (b) 2~~ provides to clients of the entity, or is expected to provide to them, direct care that is more intensive than negligible care in quantity or quality or in the amount of time required to provide the care.

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)~~. The fee~~ or for providing information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b). The department may also charge a fee to a person who requests to demonstrate to the department under sub. (5) that he or she has been rehabilitated. Fees charged under this subsection 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 1523. 50.135 (1) of the statutes is amended to read:

50.135 **(1)** DEFINITION. In this section, "inpatient health care facility" means any hospital, nursing home, county home, county mental hospital~~, tuberculosis sanatorium~~ or other place licensed or approved by the department under ss. 49.70,

49.71, 49.72, 50.02, 50.03, 50.35, 51.08~~,~~ and 51.09~~, 58.06, 252.073 and 252.076~~, but does not include community–based residential facilities.

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 1527. 50.39 (2) of the statutes is amended to read:

50.39 **(2)** The use of the title "hospital" to represent or identify any facility which does not meet the definition of a "hospital" as provided herein or is not subject to approval under ss. 50.32 to 50.39 is prohibited, except that institutions governed by ~~ss.~~ s. 51.09 ~~and 252.073~~ are exempt.

SECTION 1528. 50.39 (3) of the statutes is amended to read:

50.39 **(3)** Facilities governed by ss. 45.365, 48.62, 49.70, 49.72, 50.02, 51.09~~, 58.06, 252.073, 252.076~~ and 252.10, secured correctional facilities as defined in s. 938.02 (15m), correctional institutions governed by the department of corrections under s. 301.02 and the offices and clinics of persons licensed to treat the sick under chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do not abridge the rights of the medical examining board, physical therapists affiliated credentialing board, podiatrists affiliated credentialing board, dentistry examining board, pharmacy examining board, chiropractic examining board and board of nursing in carrying out their statutory duties and responsibilities.

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 1532. 51.01 (14k) of the statutes is created to read:

51.01 **(14k)** "Secured child caring institution" has the meaning given in s. 938.02 (15g).

SECTION 1533. 51.01 (14m) of the statutes is created to read:

51.01 **(14m)** "Secured correctional facility" has the meaning given in s. 938.02 (15m).

SECTION 1534. 51.01 (14p) of the statutes is created to read:

51.01 **(14p)** "Secured group home" has the meaning given in s. 938.02 (15p).

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 1539. 51.05 (2) of the statutes is amended to read:

51.05 **(2)** The department may not accept for admission to a mental health institute any resident person, except in an emergency, unless the county department under s. 51.42 in the county where the person has legal residency authorizes the care, as provided in s. 51.42 (3) (as). Patients who are committed to the department under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06 or 980.06, admitted by the department under s. 975.17, 1977 stats., or are transferred from a ~~juvenile~~ secured correctional facility ~~or,~~ a secured child caring institution~~, as defined in s. 938.02 (15g),~~ or a secured group home to a state treatment facility under s. 51.35 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not subject to this section.

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 1543. 51.15 (1) (a) 5. c. of the statutes is repealed.

SECTION 1544. 51.15 (1) (c) 4. of the statutes is repealed.

SECTION 1545. 51.20 (1) (a) 2. e. of the statutes is amended to read:

51.20 **(1)** (a) 2. e. For an individual, other than an individual who is alleged to be drug dependent or developmentally disabled, after the advantages and disadvantages of and alternatives to accepting a particular medication or treatment have been explained to him or her and because of mental illness, evidences either incapability of expressing an understanding of the advantages and disadvantages of accepting medication or treatment and the alternatives, or substantial incapability of applying an understanding of the advantages, disadvantages and alternatives to

his or her mental illness in order to make an informed choice as to whether to accept or refuse medication or treatment; and evidences a substantial probability, as demonstrated by both the individual's treatment history and his or her recent acts or omissions, that the individual needs care or treatment to prevent further disability or deterioration and a substantial probability that he or she will, if left untreated, lack services necessary for his or her health or safety and suffer severe mental, emotional or physical harm that will result in the loss of the individual's ability to function independently in the community or the loss of cognitive or volitional control over his or her thoughts or actions. The probability of suffering severe mental, emotional or physical harm is not substantial under this subd. 2. e. if reasonable provision for the individual's care or treatment is available in the community and there is a reasonable probability that the individual will avail himself or herself of these services or if the individual is appropriate for protective placement under s. 55.06. Food, shelter or other care that is provided to an individual who is substantially incapable of obtaining food, shelter or other care for himself or herself by any person other than a treatment facility does not constitute reasonable provision for the individual's care or treatment in the community under this subd. 2. e. The individual's status as a minor does not automatically establish a substantial probability of suffering severe mental, emotional or physical harm under this subd. 2.e. ~~This subd. 2. e. does not apply after November 30, 2001.~~

SECTION 1546. 51.20 (1) (ad) 3. of the statutes is repealed.

SECTION 1547. 51.20 (10) (cm) 1. of the statutes is renumbered 51.20 (10) (cm) and amended to read:

51.20 **(10)** (cm) Prior to or at the final hearing, for individuals for whom a petition is filed under sub. (1) (a) 2. e., the county department under s. 51.42 or 51.437

shall furnish to the court and the subject individual an initial recommended written treatment plan that contains the goals of treatment, the type of treatment to be provided and the expected providers. The treatment plan shall address the individual's needs for inpatient care, residential services, community support services, medication and its monitoring, case management, and other services to enable the person to live in the community upon release from an inpatient facility. The treatment plan shall contain information concerning the availability of the needed services and community treatment providers' acceptance of the individual into their programs. The treatment plan is only a recommendation and is not subject to approval or disapproval by the court. Failure to furnish a treatment plan under this ~~subdivision~~ paragraph does not constitute grounds for dismissal of the petition unless the failure is made in bad faith.

SECTION 1548. 51.20 (10) (cm) 2. of the statutes is repealed.

SECTION 1549. 51.20 (13) (g) 1. of the statutes is amended to read:

51.20 **(13)** (g) 1. Except as provided in ~~subd.~~ subds. 2., 2f. and 2g., the first order of commitment of a subject individual under this section may be for a period not to exceed 6 months, and all subsequent consecutive orders of commitment of the individual may be for a period not to exceed one year.

SECTION 1550. 51.20 (13) (g) 2d. c. of the statutes is repealed.

SECTION 1551. 51.20 (13) (g) 2f. of the statutes is created to read:

51.20 **(13)** (g) 2f. Any order of commitment of a subject individual under par. (a) 4., following proof of the allegations under sub. (1) (ar), may be for a period not to exceed one year.

SECTION 1552. 51.20 (13) (g) 2g. of the statutes is amended to read:

51.20 **(13)** (g) 2g. The total period a person may be committed pursuant to commitments ordered under par. (a) ~~4. or~~ 4m., following proof of the allegations under sub. (1) ~~(ar) or~~ (av), may not exceed 180 days in any 365–day period.

SECTION 1553. 51.20 (13) (g) 2m. of the statutes is amended to read:

51.20 **(13)** (g) 2m. In addition to the provisions under subds. 1., 2., 2f. and 2g., no commitment ordered under par. (a) 4. or 4m. may continue beyond the inmate's date of release on parole or extended supervision, as determined under s. 302.11 or 302.113, whichever is applicable.

SECTION 1554. 51.20 (13) (g) 2r. of the statutes is amended to read:

51.20 **(13)** (g) 2r. Twenty–one days prior to expiration of the period of commitment under subd. 1., 2., 2f., 2g. or 2m., the department, if the individual is committed to the department, or the county department to which an individual is committed shall file an evaluation of the individual and the recommendation of the department or county department regarding the individual's recommitment with the committing court and provide a copy of the evaluation and recommendation to the individual's counsel and the counsel designated under sub. (4). If the date for filing an evaluation and recommendation under this subdivision falls on a Saturday, Sunday or legal holiday, the date which is not a Saturday, Sunday or legal holiday and which most closely precedes the evaluation and recommendation filing date shall be the filing date. A failure of the department or the county department to which an individual is committed to file an evaluation and recommendation under this subdivision does not affect the jurisdiction of the court over a petition for recommitment.

SECTION 1555. 51.35 (3) (title) of the statutes is amended to read:

51.35 **(3)** (title) TRANSFER OF CERTAIN JUVENILES FROM ~~JUVENILE CORRECTIONAL~~ SECURED JUVENILE FACILITIES ~~AND SECURED CHILD CARING INSTITUTIONS~~.

SECTION 1556. 51.35 (3) (a) of the statutes is amended to read:

51.35 **(3)** (a) A licensed psychologist of a ~~juvenile~~ secured correctional facility or a secured child caring institution~~, as defined in s. 938.02 (15g),~~ or a licensed physician of the department of corrections, who has reason to believe that any individual confined in the ~~facility or institution~~ secured correctional facility, secured child caring institution or secured group home is, in his or her opinion, in need of services for developmental disability, alcoholism or drug dependency or in need of psychiatric services, and who has obtained voluntary consent to make a transfer for treatment, shall make a report, in writing, to the superintendent of the ~~facility or institution~~ secured correctional facility, secured child caring institution or secured group home, stating the nature and basis of the belief and verifying the consent. In the case of a minor age 14 and over, the minor and the minor's parent or guardian shall consent unless the minor is admitted under s. 51.13 (1) (c); and in the case of a minor under the age of 14, only the minor's parent or guardian need consent. The superintendent shall inform, orally and in writing, the minor and the minor's parent or guardian, that transfer is being considered and shall inform them of the basis for the request and their rights as provided in s. 51.13 (3). If the department of corrections, upon review of a request for transfer, determines that transfer is appropriate, that department shall immediately notify the department of health and family services and, if the department of health and family services consents, the department of corrections may immediately transfer the individual. The department of ~~corrections~~ health and family services shall file a petition under s.

51.13 (4) (a) in the court assigned to exercise jurisdiction under chs. 48 and 938 of the county where the treatment facility is located.

SECTION 1557. 51.35 (3) (c) of the statutes is amended to read:

51.35 **(3)** (c) A licensed psychologist of a ~~juvenile~~ secured correctional facility or a secured child caring institution~~, as defined in s. 938.02 (15g),~~ or a licensed physician of the department of corrections, who has reason to believe that any individual confined in the ~~facility or institution~~ secured correctional facility, secured child caring institution or secured group home, in his or her opinion, is mentally ill, drug dependent or developmentally disabled and is dangerous as described in s. 51.20 (1) (a) 2. a., b., c. or d., is mentally ill, is dangerous and satisfies the standard under s. 51.20 (1) (a) 2. e. or is an alcoholic and is dangerous as described in s. 51.45 (13) (a) 1. and 2., shall file a written report with the superintendent of the ~~facility or institution~~ secured correctional facility, secured child caring institution or secured group home, stating the nature and basis of the belief. If the superintendent, upon review of the allegations in the report, determines that transfer is appropriate, he or she shall file a petition according to s. 51.20 or 51.45 in the court assigned to exercise jurisdiction under chs. 48 and 938 of the county where the secured correctional facility ~~or~~, secured child caring institution or secured group home is located. The court shall hold a hearing according to procedures provided in s. 51.20 or 51.45 (13).

SECTION 1558. 51.35 (3) (c) of the statutes, as affected by 1995 Wisconsin Act 292, section 28, and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

51.35 **(3)** (c) A licensed psychologist of a secured correctional facility or a secured child caring institution or a licensed physician of the department of

corrections, who has reason to believe that any individual confined in the secured correctional facility, secured child caring institution or secured group home, in his or her opinion, is mentally ill, drug dependent or developmentally disabled and is dangerous as described in s. 51.20 (1) (a) 2., or is an alcoholic and is dangerous as described in s. 51.45 (13) (a) 1. and 2., shall file a written report with the superintendent of the secured correctional facility, secured child caring institution or secured group home, stating the nature and basis of the belief. If the superintendent, upon review of the allegations in the report, determines that transfer is appropriate, he or she shall file a petition according to s. 51.20 or 51.45 in the court assigned to exercise jurisdiction under ch. 48 of the county where the secured correctional facility, secured child caring institution or secured group home is located. The court shall hold a hearing according to procedures provided in s. 51.20 or 51.45 (13).

SECTION 1559. 51.35 (3) (e) of the statutes is amended to read:

51.35 **(3)** (e) The department of corrections may authorize emergency transfer of an individual from a ~~juvenile~~ secured correctional facility ~~or,~~ a secured child caring institution~~, as defined in s. 938.02 (15g)~~, or a secured group home to a state treatment facility if there is cause to believe that the individual is mentally ill, drug dependent or developmentally disabled and exhibits conduct which constitutes a danger as described under s. 51.20 (1) (a) 2. a., b., c. or d. to the individual or to others, is mentally ill, is dangerous and satisfies the standard under s. 51.20 (1) (a) 2. e. or is an alcoholic and is dangerous as provided in s. 51.45 (13) (a) 1. and 2. The custodian of the sending ~~facility or institution~~ secured correctional facility, secured child caring institution or secured group home shall execute a statement of emergency detention or petition for emergency commitment for the individual and deliver it to the

receiving state treatment facility. The department of health and family services shall file the statement or petition with the court within 24 hours after the subject individual is received for detention or commitment. The statement or petition shall conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made, the director of the receiving facility may file a petition for continued commitment under s. 51.20 (1) or 51.45 (13) or may return the individual to the ~~facility or institution~~ secured correctional facility, secured child caring institution or secured group home from which the transfer was made. As an alternative to this procedure, the procedure provided in s. 51.15 or 51.45 (12) may be used, except that no ~~prisoner~~ individual may be released without the approval of the court which directed confinement in the secured correctional facility ~~or,~~ secured child caring institution or secured group home.

SECTION 1560. 51.35 (3) (e) of the statutes, as affected by 1995 Wisconsin Act 292, section 28, and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

51.35 **(3)** (e) The department of corrections may authorize emergency transfer of an individual from a secured correctional facility, a secured child caring institution or a secured group home to a state treatment facility if there is cause to believe that the individual is mentally ill, drug dependent or developmentally disabled and exhibits conduct which constitutes a danger as described under s. 51.20 (1) (a) 2. to the individual or to others, or is an alcoholic and is dangerous as provided in s. 51.45 (13) (a) 1. and 2. The custodian of the sending secured correctional facility, secured child caring institution or secured group home shall execute a statement of emergency detention or petition for emergency commitment for the individual and deliver it to the receiving state treatment facility. The department of health and

family services shall file the statement or petition with the court within 24 hours after the subject individual is received for detention or commitment. The statement or petition shall conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made, the director of the receiving facility may file a petition for continued commitment under s. 51.20 (1) or 51.45 (13) or may return the individual to the secured correctional facility, secured child caring institution or secured group home from which the transfer was made. As an alternative to this procedure, the procedure provided in s. 51.15 or 51.45 (12) may be used, except that no individual may be released without the approval of the court which directed confinement in the secured correctional facility, secured child caring institution or secured group home.

SECTION 1561. 51.35 (3) (g) of the statutes is amended to read:

51.35 **(3)** (g) A minor 14 years of age or older who is transferred to a treatment facility under par. (a) may request in writing a return to the ~~juvenile~~ secured correctional facility ~~or~~, secured child caring institution~~, as defined in s. 938.02 (15g)~~ or secured group home. In the case of a minor under 14 years of age, the parent or guardian may make the request. Upon receipt of a request for return from a minor 14 years of age or over, the director shall immediately notify the minor's parent or guardian. The minor shall be returned to the ~~juvenile~~ secured correctional facility ~~or~~, secured child caring institution or secured group home within 48 hours after submission of the request unless a petition or statement is filed for emergency detention, emergency commitment, involuntary commitment or protective placement.

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)~~ (cr) or 980.08 (5) (d). 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 1567. 51.423 (1) of the statutes is amended to read:

51.423 **(1)** The department shall fund, within the limits of the department's allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (kw), (kz) and (o) and subject to this section, services for mental illness, developmental disability, alcoholism and drug abuse to meet standards of service quality and accessibility. The department's primary responsibility is to guarantee that county departments established under either s. 51.42 or 51.437 receive a reasonably uniform minimum level of funding and its secondary responsibility is to fund programs which meet

exceptional community needs or provide specialized or innovative services. Moneys appropriated under s. 20.435 (7) (b) and earmarked by the department for mental health services under s. 20.435 (7) (o) shall be allocated by the department to county departments under s. 51.42 or 51.437 in the manner set forth in this section.

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), (kz) 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 1569. 51.423 (2m) of the statutes is created to read:

51.423 **(2m)** The department shall pay any performance–based distribution under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by December 31 of the year after the year in which the performance–based distribution was earned. The county department may expend that distribution for any purpose specified in s. 20.435 (7) (b).

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 1574. 51.61 (1) (g) 3m. of the statutes is amended to read:

51.61 **(1)** (g) 3m. Following a final commitment order for a subject individual who is determined to meet the commitment standard under s. 51.20 (1) (a) 2. e., the court shall issue an order permitting medication or treatment to be administered to the individual regardless of his or her consent. ~~This subdivision does not apply after November 30, 2001.~~

SECTION 1575. 58.06 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. The development plan shall contain at least the elements described in s. 66.0295.

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 1580. 59.692 (6m) of the statutes is created to read:

59.692 **(6m)** For an amendment to an ordinance enacted under this section that affects an activity that meets all of the requirements under s. 281.165 (1) to (5), the department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review the amendment, to determine whether the ordinance, as amended, fails to meet the shoreland zoning standards.

SECTION 1581. 59.70 (1) of the statutes is amended to read:

59.70 **(1)** BUILDING AND SANITARY CODES. The board may enact building and sanitary codes, make necessary rules and regulations in relation thereto and provide for enforcement of the codes, rules and regulations by forfeiture or otherwise. The codes, rules and regulations do not apply within municipalities which have enacted ordinances or codes concerning the same subject matter. "Sanitary code" does not include a ~~private~~ small sewage system ordinance enacted under sub. (5). "Building and sanitary codes" does not include well code ordinances enacted under sub. (6).

SECTION 1582. 59.70 (5) of the statutes is amended to read:

59.70 **(5)** ~~PRIVATE~~ SMALL SEWAGE SYSTEM ORDINANCE. (a) Every governmental unit responsible for the regulation of ~~private~~ small sewage systems, as defined under

s. 145.01 (5), shall enact an ordinance governing ~~private~~ small sewage systems, as defined in s. 145.01 ~~(12)~~ (14m), which conforms with the state plumbing code. The ordinance shall apply to the entire area of the governmental unit responsible for the regulation of ~~private~~ small sewage systems, as defined under s. 145.01 (5). After July 1, 1980, no municipality may enact or enforce a ~~private~~ small sewage system ordinance unless it is a governmental unit responsible for the regulation of ~~private~~ small sewage systems, as defined under s. 145.01 (5).

(b) The governmental unit responsible for the regulation of ~~private~~ small sewage systems, as defined under s. 145.01 (5), shall administer the ~~private~~ small sewage system ordinance under s. 145.20 and the rules promulgated under s. 145.20.

SECTION 1583. 60.70 (5) of the statutes is amended to read:

60.70 **(5)** "Private sewage system" ~~has the meaning given under s. 145.01 (12)~~ means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department of commerce including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or by a special purpose district.

SECTION 1584. 60.70 (6m) of the statutes is created to read:

60.70 **(6m)** "Small sewage system" has the meaning given in s. 145.01 (14m).

SECTION 1585. 60.726 (2) of the statutes is amended to read:

60.726 **(2)** If a property owner installed on his or her property a private sewage system~~, as defined in s. 145.01 (12),~~ that conforms with the state plumbing code, before a town sanitary district that encompasses that property came into existence,

that property shall be included in the town sanitary district. If the private sewage system was installed on or after 10 years before May 14, 1992, and if the property owner provides the town sanitary district with any information about the cost of the private sewage system required by the district, the town sanitary district, when the district issues any assessment or charges or imposes property taxes to construct a sewage service system, shall pay or credit the property owner an amount equal to 10% of the cost of the private sewage system, less any grants or aids received by the property owner for construction of the private sewage system, multiplied by the number of years of remaining life of the private sewage system. The number of years of remaining life of the private sewage system is equal to 10 minus the number of years that the private sewage system has been in operation.

SECTION 1586. 60.77 (5) (b) of the statutes is amended to read:

60.77 **(5)** (b) Require the installation of ~~private~~ small sewage systems.

SECTION 1587. 60.77 (5) (bm) of the statutes is amended to read:

60.77 **(5)** (bm) Require the inspection of ~~private~~ small sewage systems that have been already installed to determine compliance with the state plumbing code and may report violations of the state plumbing code to the governmental unit responsible for the regulation of ~~private~~ small sewage systems for enforcement under s. 145.20.

SECTION 1588. 60.77 (5) (bs) of the statutes is amended to read:

60.77 **(5)** (bs) Provide direct financial assistance for costs related to the replacement of ~~private~~ small sewage systems, as defined in s. 145.01 ~~(12)~~ (14m), that are failing.

SECTION 1589. 60.77 (5) (j) of the statutes is amended to read:

60.77 **(5)** (j) Administer the ~~private~~ small sewage system program if authorized under s. 145.20 (1) (am).

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 1592. 62.231 (6m) of the statutes is created to read:

62.231 **(6m)** CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an ordinance enacted under this section that affects an activity that meets all of the requirements under s. 281.165 (1) to (5), the department of natural resources may not proceed under sub. (6), or otherwise review the amendment, to determine whether the ordinance, as amended, fails to meet reasonable minimum standards.

SECTION 1593. 66.014 (8) (b) of the statutes is amended to read:

66.014 **(8)** (b) On the basis of the hearing the circuit court shall find if the standards under s. 66.015 are met. If the court finds that the standards are not met, the court shall dismiss the petition. If the court finds that the standards are met the court shall refer the petition to the department and ~~thereupon~~ the department shall determine whether ~~or not~~ the standards under s. 66.016 are met, except that if the incorporation is part of a cooperative boundary agreement under s. 66.023, the department is not required to determine whether the standards under s. 66.016 are met.

SECTION 1594. 66.015 (intro.) of the statutes is amended to read:

66.015 Standards to be applied by the circuit court. (intro.) Before referring the incorporation petition as provided in s. 66.014 (2) to the department, the court shall determine whether the petition meets the formal and signature requirements and shall further find, except as provided in sub. (6), that the following minimum requirements are met:

SECTION 1595. 66.015 (5) of the statutes is amended to read:

66.015 **(5)** STANDARDS WHEN NEAR FIRST, SECOND OR THIRD CLASS CITY. Where the proposed boundary of a metropolitan village or city is within 10 miles of the boundary of a city of the first class or 5 miles of a city of the second or third class, the minimum area requirements shall be ~~4~~ 3 and 6 square miles for villages and cities, respectively.

SECTION 1596. 66.015 (6) of the statutes is created to read:

66.015 **(6)** INCORPORATION AS PART OF COOPERATIVE PLAN. If an incorporation is part of a cooperative plan under s. 66.023, the court may not consider whether any of the requirements under subs. (1) to (5) are met.

SECTION 1597. 66.021 (7) (d) of the statutes is amended to read:

66.021 **(7)** (d) The annexation shall be effective ~~upon enactment of~~ when the annexation ordinance is recorded by the clerk with the register of deeds as provided in sub. (8) (a). The board of school directors in any city of the first class shall not be required to administer the schools in any territory annexed to any such city until July 1 following such annexation.

SECTION 1598. 66.021 (8) (a) of the statutes is amended to read:

66.021 **(8)** (a) The clerk of a city or village which has annexed territory shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy of the ordinance, certificate and plat to each company that provides any utility service in the area that is annexed. The clerk shall also record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district. ~~Failure to file, record or send shall not invalidate the annexation and the duty to file, record or send shall be a continuing one.~~ The ordinance that is filed, recorded or sent shall describe the annexed territory and the associated population. The information filed with the secretary of state shall be utilized in making recommendations for adjustments to entitlements under the federal revenue sharing program and distribution of funds under ch. 79. The clerk shall certify annually to the secretary of state and record with the register of deeds a legal description of the total boundaries of the municipality as those boundaries existed on December 1, unless there has been no change in the 12 months preceding.

SECTION 1599. 66.021 (11) (a) of the statutes is amended to read:

66.021 **(11)** (a) *Annexations within populous counties.* No annexation proceeding within a county having a population of 50,000 or more shall be valid

unless the person causing a notice of annexation to be published under sub. (3) shall within 5 days of the publication mail a copy of the notice, legal description and a scale map of the proposed annexation to the clerk of each municipality affected and the department of administration, except that if the department of administration determines within 5 days of receipt of the documents that the legal description or scale map is illegible, contains errors that prevent the department from ascertaining the territory that is proposed to be annexed or do not conform to generally accepted standards for the preparation of legal descriptions and scale maps the department may refuse acceptance of the documents and the annexation process may not continue. If the refused documents are resubmitted by the proposed annexing city or village to the department of administration not later than 10 days after they have been returned and the department determines that they are legible, accurate and conform to generally accepted standards for the preparation of legal descriptions and scale maps the annexation shall proceed. The department may within ~~20~~ 60 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that in its opinion the annexation is against the public interest. No later than 10 days after mailing the notice, the department shall advise the clerk of the town in which the territory is located and the clerk of the village or city to which the annexation is proposed of the reasons the annexation is against the public interest as defined in par. (c). The annexing municipality shall review the advice before final action is taken.

SECTION 1600. 66.023 (title) of the statutes is amended to read:

66.023 (title) **Boundary change pursuant to approved cooperative plan; incorporation of certain towns.**

SECTION 1601. 66.023 (2) (intro.) of the statutes is amended to read:

66.023 **(2)** BOUNDARY CHANGE AUTHORITY. (intro.) Any combination of municipalities may determine the boundary lines between themselves under a cooperative plan that is approved by the department under this section. The cooperative plan may also include the incorporation of all or part of a town into a city or village, as described in sub. (4) (am). No boundary of a municipality may be changed or maintained under this section unless the municipality is a party to the cooperative agreement. The cooperative plan shall provide one or more of the following:

SECTION 1602. 66.023 (2) (e) of the statutes is created to read:

66.023 **(2)** (e) The date on which all or part of a town that is a party to the plan is to become incorporated as a city or village and the boundary of the new city or village if it does not include all of the territory of the town from which it was incorporated.

SECTION 1603. 66.023 (4) (am) of the statutes is created to read:

66.023 **(4)** (am) *Procedure if cooperative plan includes an incorporation.* 1. For a proposed plan to include an incorporation, the steps contained in ss. 66.014 (1) to (4) and (8) and 66.015 shall be concluded before the start of the hearing under par. (b).

2. If the steps described in subd. 1 are concluded before the start of the hearing and if the final cooperative plan is submitted to the department for review under sub. (5), the department shall, as part of its review, consider the effect of the proposed incorporation on the remainder of the town, if any, and on the other parties to the plan.

3. The final cooperative plan shall also contain a contingency cooperative plan that will take the place of the final cooperative plan in the event that the proposed

incorporation that is part of the final cooperative plan is defeated in the referendum that is described under subd. 4.

4. If the department approves a final cooperative plan under sub. (5) that contains an incorporation of all or part of a town, the incorporation may not take effect until it is approved in a referendum that shall be held under s. 66.018. If the majority of votes cast in the referendum is against the incorporation, the contingent cooperative plan shall take the place of the final cooperative plan.

SECTION 1604. 66.023 (5) (c) 7. of the statutes is created to read:

66.023 **(5)** (c) 7. If the cooperative plan contains a proposed incorporation, the incorporation is in the public interest. In determining whether the incorporation is in the public interest, the department may apply the standards under s. 66.016.

SECTION 1605. 66.023 (7m) of the statutes is amended to read:

66.023 **(7m)** ZONING IN TOWN TERRITORY. If a town is a party to a cooperative plan with a city or village, the town and city or village may agree, as part of the cooperative plan, to authorize the town, city or village to adopt a zoning ordinance under s. 60.61, 61.35 or 62.23 for all or a portion of the town territory covered by the plan. The exercise of zoning authority by a town under this subsection is not subject to s. 60.61 (3) or 60.62 (3). If a county zoning ordinance applies to the town territory covered by the plan, that ordinance and amendments to it continue until a zoning ordinance is adopted under this subsection. If a zoning ordinance is adopted under this subsection, that zoning ordinance continues in effect after the planning period ceases until a different zoning ordinance for the territory is adopted under other applicable law. This subsection does not affect zoning ordinances adopted under ss. 59.692, 87.30 or ~~91.71 to 91.78~~ 91.73 to 91.77.

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 objectives, policies, goals and programs of the local governmental unit to guide the future growth and development 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 plan, and demographic trends, age distribution, educational levels, income levels and employment characteristics that exist within the local governmental unit. The statement may also include similar elements related to federal and state programs and background information on nearby local governmental units that affect the local governmental unit.

(b) *Housing element*. A statement of objectives, policies, goals 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 and in

nearby local governmental units. The statement shall contain a map and shall assess the age, structural, value and occupancy characteristics of the local governmental unit's housing stock. The statement 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, and policies and programs to maintain or rehabilitate the local governmental unit's existing housing stock.

(c) *Transportation element.* A map and a statement of objectives, policies, goals and programs to guide the future development of transportation infrastructure and various modes of transportation, including public transportation, transportation systems for persons with disabilities, bicycles, walking, railroads, air transportation, trucking and water transportation. The statement shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The statement shall also identify highways and streets within the local governmental unit by type and 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 map and a statement of objectives, policies, goals and programs to guide the future development of utilities and community facilities in the local governmental unit such as sanitary sewer service, stormwater 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 statement shall describe the 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 map and a statement of objectives, policies, goals 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, historic and cultural resources, aesthetic resources, recreational resources and other natural resources.

(f) *Economic development element.* A map and a statement of objectives, policies, goals 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 statement shall assess categories or particular types of new businesses and industries that are desired by the local governmental unit. The statement 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 statement shall also evaluates, and promote the use of environmentally contaminated sites for

commercial or industrial uses. The statement shall also identify county, regional and state economic development programs that apply to the local governmental unit.

(g) *Intergovernmental cooperation element*. A map and a statement of objectives, policies, goals 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 statement 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 statement 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 statement 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 map and a statement of objectives, policies, goals and programs to guide the future development and redevelopment of public and private property. The statement 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 statement shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land–use conflicts. The statement 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 statement 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 statement 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 stormwater 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 statement 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 statement 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.

SECTION 1607. 66.04 (1m) (a) of the statutes is amended to read:

66.04 **(1m)** (a) No city, village ~~or,~~ town, family care district under s. 46.2895 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 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 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 1618. 66.285 (4) (f) of the statutes is created to read:

66.285 **(4)** (f) The failure to pay timely due to an occurrence to which s. 893.83 applies.

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 1622. 66.43 (3) (a) of the statutes is amended to read:

66.43 **(3)** (a) "Blighted area" means any area, including a slum area, in which a majority of the structures are residential or in which there is a predominance of buildings or improvements, whether residential or nonresidential, and which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

SECTION 1623. 66.43 (3) (be) of the statutes is created to read:

66.43 **(3)** (be) "Environmental pollution" has the meaning given in s. 299.01 (4).

SECTION 1624. 66.431 (2m) (b) 1. of the statutes is amended to read:

66.431 **(2m)** (b) 1. An area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of

population and overcrowding, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

SECTION 1625. 66.431 (2m) (b) 2. of the statutes is amended to read:

66.431 **(2m)** (b) 2. An area which by reason of the presence of a substantial number of substandard, slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

SECTION 1626. 66.431 (2m) (b) 3. of the statutes is amended to read:

66.431 **(2m)** (b) 3. An area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, environmental pollution or otherwise, substantially impairs or arrests the sound growth of the community.

SECTION 1627. 66.431 (2m) (bm) of the statutes is amended to read:

66.431 **(2m)** (bm) "Blighted property" means any property within a city, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare, or any property which by reason of faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use, or any property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, environmental pollution or otherwise, substantially impairs or arrests the sound growth of the community.

SECTION 1628. 66.431 (2m) (fe) of the statutes is created to read:

66.431 **(2m)** (fe) "Environmental pollution" has the meaning given in s. 299.01 (4).

SECTION 1629. 66.46 (2) (a) 1. a. of the statutes is amended to read:

66.46 **(2)** (a) 1. a. An area, including a slum area, in which the structures, buildings or improvements, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of these factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

SECTION 1630. 66.46 (2) (a) 1. b. of the statutes is amended to read:

66.46 **(2)** (a) 1. b. An area which is predominantly open and which consists primarily of an abandoned highway corridor, as defined in s. 66.431 (2m) (a), or that consists of land upon which buildings or structures have been demolished and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, environmental pollution or otherwise, substantially impairs or arrests the sound growth of the community.

SECTION 1631. 66.46 (13) of the statutes is amended to read:

66.46 **(13)** REPORT ON EFFECTS AND IMPACT OF TAX INCREMENTAL FINANCING. The department of ~~commerce~~ revenue, in cooperation with other state agencies and local governments, shall make a comprehensive report to the ~~governor and the chief clerk of each house of the legislature, for distribution to the~~ legislature under s. 13.172 (2) and to the governor, at the beginning of each biennium, beginning with the ~~1977~~ 2001–03 biennium, as to the effects and impact of tax incremental financing projects socially, economically and financially.

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 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, property acquisition costs, demolition costs including asbestos removal, and removing and disposing of 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.

SECTION 1633. 66.462 (1) (i) of the statutes is amended to read:

66.462 **(1)** (i) "Period of certification" means a period of not more than ~~16~~ 23 years beginning after the department certifies the environmental remediation tax incremental base of a parcel of property under sub. (4) or a period before all eligible costs have been paid, whichever occurs first.

SECTION 1634. 66.462 (2) of the statutes is amended to read:

66.462 **(2)** 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 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. 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 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 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 that contains cost estimates for anticipated eligible costs, 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 1637. 66.504 (2) of the statutes is amended to read:

66.504 **(2)** FACILITIES AUTHORIZED. A municipality may enter into a joint contract with a nonprofit corporation organized for civic purposes and located in the municipality to construct or otherwise acquire, equip, furnish, operate and maintain a facility to be used for municipal and civic activities if a majority of the voters voting in a referendum authorize the municipality to enter into the joint contract. The referendum shall be held at a special election or at a spring primary or election or September primary or general election ~~approve the question of entering into the joint~~

~~contract~~ or, if the municipality is a school district, at the next spring election or general election to be held not earlier than 45 days after submittal of the issue or at a special election held on the Tuesday after the first Monday in November in an odd–numbered year if that date occurs not earlier than 45 days after submittal of the issue.

SECTION 1638. 66.521 (10) (g) of the statutes is repealed.

SECTION 1639. 66.88 (11) of the statutes is amended to read:

66.88 **(11)** "Sewerage system" means all facilities of the district for collection, transportation, storage, pumping, treatment and final disposition of sewage. "Sewerage system" does not include any ~~private~~ small sewage system, as defined in s. 145.01 ~~(12)~~ (14m), or any local sewer.

SECTION 1640. 66.888 (1) (c) 3. a. of the statutes is amended to read:

66.888 **(1)** (c) 3. a. The weight to be given to the need for ~~private~~ small sewage systems, as defined in s. 145.01 ~~(12)~~ (14m), to maintain the public health and welfare in any area located within the district prior to a redefinition of the boundary but located outside the district after any redefinition of the boundary.

SECTION 1641. 66.945 (2) (d) of the statutes is created to read:

66.945 **(2)** (d) No regional planning commission that consists of only one county may be created under this subsection after December 31, 2001.

SECTION 1642. 66.945 (3) (b) (intro.) of the statutes is amended to read:

66.945 **(3)** (b) (intro.) ~~For~~ Except as provided in par. (bm), for any region which does not include a city of the first class, the membership composition of a regional planning commission shall be in accordance with resolutions approved by the governing bodies of a majority of the local units in the region, and these units shall have in the aggregate at least half the population of the region. For the purposes of

this determination a county, part or all of which is within the region, shall be counted as a local unit, but the population of an approving county shall not be counted. In the absence of the necessary approval by the local units, the membership composition of a commission shall be determined as follows:

SECTION 1643. 66.945 (3) (bm) of the statutes is created to read:

66.945 **(3)** (bm) The membership composition of a regional planning commission that includes a county that contains a 2nd class city and that is created after December 31, 2001, shall be as provided in par. (a).

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 1648. 67.05 (6a) (a) 2. a. of the statutes is amended to read:

67.05 **(6a)** (a) 2. a. Direct the school district clerk to call a ~~special election~~ referendum for the purpose of submitting the resolution to the electors for approval or rejection~~, or direct that the resolution be submitted~~ at the next ~~regularly scheduled primary or~~ spring election or general election to be held not earlier than 45 days after the adoption of the resolution or at a special election held on the Tuesday after the first Monday in November in an odd–numbered year if that date occurs not earlier than 45 days after the adoption of the resolution. The resolution shall not be effective unless adopted by a majority of the school district electors voting at the referendum.

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, 281.60 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 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)<u>, 1997 stats</u>.

SECTION 1654. 70.11 (40) of the statutes is created to read:

70.11 **(40)** COMPUTERIZED EQUIPMENT. Fax machines, copiers, cash registers and automatic teller machines.

SECTION 1655. 70.114 (1) (c) of the statutes is amended to read:

70.114 **(1)** (c) "Land" means state forests, as defined in s. 28.02 (1), that are acquired after December 31, 1991, state parks that are acquired after December 31, 1991, under s. 27.01 and other areas that are acquired after December 31, 1991, under s. 23.09 (2) (d), 23.091, <u>23.0912,</u> 23.27, 23.29, 23.293, 23.31 or 29.749 (1).

SECTION 1656. 70.36 (1m) of the statutes is amended to read:

70.36 **(1m)** Any person, firm or corporation that fails to include information on property that is exempt under s. 70.11 (39) on the report under s. 70.35 shall forfeit $10 for every ~~$100~~ $1,000 or major fraction thereof that is not reported.

SECTION 1657. 70.64 (1) (title) of the statutes is amended to read:

70.64 **(1)** (title) BY ~~TAX APPEALS COMMISSION~~ THE DEPARTMENT.

SECTION 1658. 70.64 (1) of the statutes is renumbered 70.64 (1) (b) and amended to read:

70.64 **(1)** (b) The assessment and determination of the relative value of taxable general property in any county or taxation district, made by the department ~~of revenue~~ under s. 70.57, may be reviewed, and a redetermination of the value of such property may be made by the ~~tax appeals commission~~ department, upon appeal by the county or taxation district. The filing of ~~such~~ an appeal in the manner provided in this section by any county or taxation district shall impose upon the ~~commission~~ department the duty, under the powers conferred upon it by s. ~~73.01 (4) (a)~~ 73.03, to review the assessment complained of. If, in its judgment based upon the testimony, evidence and record made on ~~the preliminary hearing of such~~ appeal, the ~~commission~~ department finds ~~such~~ an assessment to be unequal and discriminatory, it shall determine to correct ~~such~~ the assessment to bring it into substantial compliance with law. ~~Except as provided in this section, the appeal shall be taken and such review and redetermination shall be made as provided in ss. 73.01 and 73.015 and under the rules governing the procedure of the commission.~~

SECTION 1659. 70.64 (1) (a) of the statutes is created to read:

70.64 **(1)** (a) In this section, "department" means the department of revenue.

SECTION 1660. 70.64 (2) of the statutes is amended to read:

70.64 **(2)** AUTHORIZATION OF APPEALS. To authorize ~~such~~ an appeal to the department, an order or resolution directing the same to be taken shall be adopted by the governing body of the county or taxation district taking the appeal at a lawful meeting of the governing body. ~~When~~ After an appeal ~~shall have been~~ is authorized ~~the prosecution of it shall be in charge of~~ by the governing body of a county or taxation district, the chairperson of the county board or the county administrator, or ~~of~~ the chairperson, mayor or president of the taxation district taking the appeal shall prosecute the appeal unless otherwise directed by the governing body of the county or taxation district taking the appeal. The officers or committee in charge of the appeal may employ attorneys to conduct the appeal. After authorizing an appeal as provided in this subsection, any 2 or more taxation districts in the same county or any 2 or more school districts located in whole or in part in the same county may join in taking and prosecuting an appeal.

SECTION 1661. 70.64 (3) (intro.) of the statutes is amended to read:

70.64 **(3)** FORM OF APPEAL. (intro.) To accomplish an appeal there shall be filed with the ~~tax appeals commission~~ department on or before October 15 an appeal in writing setting forth:

SECTION 1662. 70.64 (3) (a) of the statutes is amended to read:

70.64 **(3)** (a) That the county or taxation district, naming the same, appeals to the ~~tax appeals commission~~ department from the assessment made by the department ~~of revenue~~ under s. 70.57, specifying the date of such assessment.

SECTION 1663. 70.64 (4) of the statutes is amended to read:

70.64 **(4)** CERTIFIED COPIES. Upon the filing of ~~such~~ an appeal, the clerk of the county or taxation district, without delay, shall prepare certified copies of ~~it~~ the appeal, together with certified copies of the value established by the department of

revenue from which the appeal is taken and a complete list showing the clerk of each taxation district within the county and the post–office address of each. The clerk shall mail by certified mail 4 sets of certified copies ~~to the tax appeals commission and one set of the copies~~ to the department of revenue~~,~~ and one set each to the county clerk and the clerk of each taxation district within the county.

SECTION 1664. 70.64 (5) of the statutes is amended to read:

70.64 **(5)** APPEARANCE. ~~Not later than~~ Within 30 days after the clerk of the county or taxation district has mailed the certified copies under sub. (4), unless the time is extended by order of the ~~tax appeals commission~~ department, any county~~, town, city or village may cause an appearance to be entered in its behalf before the commission in support of~~ or municipality may file a verified petition with the department under sub. (3) and have the department enter an appearance on its behalf supporting the appeal and uniting with the appellant for the relief demanded~~; and by verified petition or statement showing grounds therefor~~. Any county or municipality may apply for other or further review and redetermination than that demanded in the appeal by filing a verified petition with the department under sub. (3) that specifies the grounds for other or further review and redetermination. Within ~~the same time the~~ 30 days from the date on which the clerk of a county or taxation district mailed certified copies under sub. (4), a county~~, town, city or village in the county may in the same manner have its appearance entered in opposition to~~ or municipality may file a verified petition with the department under sub. (3) and have the department enter an appearance in its behalf opposing the appeal and ~~to~~ the relief demanded. ~~Such~~ Petitions and appearances under this subsection shall be authorized ~~in the manner for authorizing an appeal~~ as provided under sub. (2). ~~When so authorized the interests of the county, town, city or village authorizing it shall be~~

~~in the charge of~~ After a petition or appearance is authorized under sub. (2), the chairperson, administrator, mayor or president ~~thereof~~ of the county or municipality that made the authorization under sub. (2) shall protect the county's or municipality's interests in the appeal and may employ an attorney to protect the county's or municipality's interests unless otherwise directed by the governing body authorizing ~~such~~ a petition or appearance~~; and attorneys may be employed in that behalf. In such appearances any~~ under sub. (2). Any 2 or more of the ~~towns, cities and villages~~ municipalities of ~~the~~ a county may join in a petition or appearance if united in ~~support of or in opposition to the~~ supporting or opposing an appeal. Four copies of each appearance~~,~~ or petition ~~or statement mentioned in~~ under this subsection shall be filed ~~in the offices of the tax appeals commission and a copy of each mailed by certified mail to~~ with the department ~~of revenue~~, and a copy of each appearance or petition shall be sent by certified mail to the county clerk, and to the clerk of each ~~town, city and village~~ municipality within the county, and a copy to the attorney authorized to appear on behalf of the county or ~~any town, city or village~~ on behalf of any municipality within the county.

SECTION 1665. 70.64 (6) of the statutes is amended to read:

70.64 **(6)** HEARING. As soon as practicable, the ~~commission~~ department shall set a time and place for ~~preliminary~~ the hearing of ~~such~~ an appeal. At least 10 days before the time set for ~~such~~ a hearing, the ~~commission~~ department shall ~~cause~~ send notice ~~thereof to be mailed~~ of the hearing by certified mail to the county clerk and to the attorney or the clerk of each ~~town, city and village~~ municipality in whose behalf an appearance has been entered in the ~~matter of such~~ appeal, ~~and~~ to the clerk of each interested town, city or village ~~which~~ that has not appeared, and ~~mail a like notice~~ to the clerk of the taxation district taking ~~such~~ the appeal ~~and to the department of~~

~~revenue. The department of revenue shall be prepared to present to the commission at such time during the course of the hearings as the commission requires, the full value of all property subject to general property taxation in each town, village and city of the county, as determined by the department according to s. 70.57 (1) or in the case of a complaint by a taxation district under a county assessor such information as the department has in its possession. Said~~. The department may adjourn and reschedule the hearing ~~may be adjourned, in the discretion of the tax appeals commission~~ of an appeal, as often ~~and to such times and places~~ as ~~may be~~ necessary ~~in order~~ to determine the facts. If satisfied that no substantial injustice has been done in the appealed taxation district assessment ~~appealed from~~, the ~~commission~~ department in its discretion may dismiss ~~such~~ the appeal. If satisfied that substantial injustice has been done in the appealed taxation district assessment, the ~~commission~~ department shall ~~determine to~~ revalue any or all of the taxation districts in the county~~, which it deems~~ as necessary~~, in a manner which in its judgment is best calculated~~ to secure substantial justice.

SECTION 1666. 70.64 (7) of the statutes is amended to read:

70.64 **(7)** REDETERMINATION. ~~The commission~~ After a hearing under sub. (6), the department shall ~~then proceed to~~ redetermine the value of the taxable general property in ~~such~~ any of the taxation districts in the county as ~~it deems~~ necessary~~. It may include in such redetermination other taxation districts than first determined upon and may include all of the taxation districts in said county, if at any time during the progress of its investigations or revaluations it is satisfied that such course is necessary in order~~ to accomplish substantial justice and to secure the relative equality ~~as between~~ of the value of the taxable general property in all of the taxation districts in ~~such~~ the county. ~~It~~ The department shall ~~make careful investigation of~~

redetermine the value of the taxable general property in ~~the several~~ a taxation ~~districts to which such review and redetermination shall extend, in any manner which in its judgment is best calculated~~ district to obtain the fair, full value of ~~such~~ the property. The ~~commission~~ department may employ ~~such~~ and fix the compensation of experts and other assistants ~~as may be~~ that are necessary~~, and fix their compensation~~ for a redetermination of the value of taxable general property under this subsection. In ~~making such investigations~~ redetermining the value of taxable general property under this subsection, the ~~commission~~ department and all persons employed ~~therein~~ by the ~~commission~~ department shall have all the authority ~~possessed by~~ of assessors ~~so far as applicable~~, including the authority to administer oaths and to examine property owners and witnesses under oath as to the quantity and value of the property subject to ~~assessment belonging to any person or within any taxation district to which the investigation shall extend~~ redetermination under this subsection.

SECTION 1667. 70.64 (8) of the statutes is repealed.

SECTION 1668. 70.64 (9) of the statutes is amended to read:

70.64 **(9)** TESTIMONY. The ~~tax appeals commission~~ department may take testimony under subs. (6) and (7). Witnesses summoned ~~at the instance of said commission~~ by the department shall be compensated at the rates provided by law for witnesses in courts of record, the same to be audited and paid the same as other claims against the state, upon the certificate of ~~said commission. If any property owner or other~~ the department. Any person ~~makes any false statement~~ who testifies falsely to ~~said commission~~ the department or to any person employed by ~~it upon~~ the department about any matter under investigation ~~that person~~ under this section

shall be subject to all the forfeitures and penalties imposed ~~by law for false statements to assessors and boards of review~~ under s. 70.36.

SECTION 1669. 70.64 (10) of the statutes is amended to read:

70.64 **(10)** DETERMINATION. The ~~tax appeals commission~~ department shall make ~~its~~ a determination upon ~~such~~ an appeal without unreasonable delay and shall file a copy ~~thereof~~ of its determination in the office of the county clerk and mail by certified mail a ~~like~~ copy ~~to the department of revenue and~~ of its determination to the clerk and attorney of the taxation district appealing, and a copy to the clerk and attorney of each taxation district ~~having~~ that appeared at the hearing of the appeal. In ~~such~~ its determination the ~~commission~~ department shall set forth the relative value of the taxable general property in each ~~town, city and village~~ municipality of ~~such~~ the county ~~as found by them,~~ and ~~what~~ the sum, if any, that shall be added to or deducted from the aggregate value of taxable property in each ~~such~~ taxation district ~~as fixed in the determination of the department of revenue from which such appeal was taken in order~~ to produce a relatively just and equitable taxation district assessment. ~~Such determination shall be final~~ A determination by the department under this section may be appealed to the tax appeals commission under s. 73.01 (5).

SECTION 1670. 70.64 (11) of the statutes is amended to read:

70.64 **(11)** COMPUTATION. The department's determination ~~of the commission~~ under sub. (10) shall not affect the validity of taxes apportioned ~~in accordance with~~ according to the appealed taxation district assessment ~~from which such appeal was taken; but if it is determined~~. If the department determines upon ~~such~~ appeal that ~~such~~ a taxation district assessment is relatively unequal, ~~such inequality shall be remedied and compensated~~ the department shall remedy the inequality in the apportionment of state and county taxes in ~~such~~ the county of the taxation district

in the next apportionment following the department's determination ~~of said commission in the following manner:~~ under sub. (10). Each ~~town, city and village whose~~ municipality where the department determined that a valuation in ~~such~~ a taxation district assessment was ~~determined by said commission to be~~ relatively too high shall be credited a sum equal to the amount of taxes charged to it ~~upon such~~ based on the unequal assessment in excess of the amount ~~equitably chargeable thereto~~ of taxes charged to it according to the department's determination ~~of the commission; and each town, city and village whose~~ under sub. (10). Each municipality where the department determined that a valuation in ~~such~~ a taxation district assessment was ~~determined by said commission to be~~ relatively too low shall be charged, in addition to all other taxes, a sum equal to the difference between the amount of taxes charged ~~thereto upon such~~ to it based on the unequal assessment and the amount ~~which should have been~~ of taxes charged ~~thereto~~ to it according to the department's determination ~~of the commission~~ under sub. (10). The department ~~of revenue~~ shall aid the county clerk in making the proper computations.

SECTION 1671. 70.64 (12) of the statutes is amended to read:

70.64 **(12)** EXPENSES. The ~~tax appeals commission~~ department shall transmit to the county clerk of the county where an appeal under this section originated, with its determination ~~on such appeal~~ under sub. (10), a statement of all expenses incurred ~~therein~~ by ~~or at the instance of the commission, which~~ the department to hear and investigate an appeal under this section. The statement shall include the actual expenses of the ~~commission~~ department and of the regular employes of the ~~commission~~ department, the compensation and actual expenses of all other persons employed by ~~it~~ the department under sub. (7) and the fees of officers employed and witnesses summoned ~~at its instance. A~~ by the department. The department shall

file a duplicate of ~~such~~ the statement ~~shall be filed in the office of~~ submitted under this subsection with the department of administration. ~~Such~~ The expenses contained in a statement under this subsection shall be audited upon the certificate of the ~~commission~~ department of revenue, and paid out of the state treasury, in the first instance, as other claims against the state are audited and paid. The amount of ~~such~~ the expenses shall be a special charge against ~~such~~ the county where an appeal under this section originated and shall be included in the next apportionment and certification of state taxes and charges, and collected from ~~such~~ the county~~,~~ as other special charges are certified and collected. Unless otherwise directed by the ~~commission~~ department of revenue in its determination upon ~~such~~ appeal, the county clerk, in the next apportionment of state and county taxes, shall apportion the amount of ~~such~~ special charges to ~~and among the towns, cities and villages in such~~ the municipalities in the county ~~whose~~ where relative valuations were increased in the department of revenue's determination ~~of the commission~~ under sub. (10) in proportion to the amount of ~~such~~ the increase in each of them respectively. The apportionment of ~~such~~ expenses included in the statement under this subsection shall be set forth in the department of revenue's determination ~~of the commission~~ under sub. (10). The amount ~~so~~ of expenses apportioned to each ~~such town, city and village~~ municipality shall be charged upon its tax roll and shall be collected and paid over to the county treasurer as other state taxes and special charges are collected and paid.

SECTION 1672. 70.75 (6) of the statutes is created to read:

70.75 **(6)** REVIEW. Review of the reassessments of the department under this section shall be by appeal to the tax appeals commission under s. 73.01 (5).

SECTION 1673. 70.85 (4) (c) of the statutes is amended to read:

70.85 **(4)** (c) Appeal of the determination of the department of revenue shall be by an ~~action for certiorari in the circuit court of the county in which the property is located~~ appeal to the tax appeals commission under s. 73.01 (5).

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 1675. 71.04 (4) of the statutes is amended to read:

71.04 **(4)** NONRESIDENT ALLOCATION AND APPORTIONMENT FORMULA. 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, 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~~ For taxable years beginning before January 1, 2000, 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. For taxable years beginning on or after January 1, 2000, the remaining net income shall be apportioned to this state by use of 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, 2000:

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, 2000:

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. A motor vehicle is used in this state if it is registered in this state and used wholly in this state.

2. The use of rolling stock in this state is determined by multiplying the receipts from the lease or rental of the rolling stock by a fraction having as a numerator the miles traveled within this state by the leased or rented rolling stock and having as a denominator the total miles traveled by the leased or rented rolling stock.

3. The use of an aircraft in this state is determined by multiplying the 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 and having as a denominator the total number of landings anywhere of the aircraft.

4. The use of a vessel, mobile equipment or other mobile property in this state is determined by multiplying the receipts from the lease or rental of the property by

a fraction having as a numerator the number of days in the taxable year that the vessel, mobile equipment or other mobile property was in this state and having as a denominator the number of days in the taxable year that the vessel, mobile equipment or other mobile property was rented or leased.

SECTION 1681. 71.04 (7) (dn) of the statutes is created to read:

71.04 **(7)** (dn) 1. For taxable years beginning after December 31, 1999, royalties and other income received for the use of intangible property are attributed to the state where the purchaser uses the intangible property. If intangible property is used in more than one state, the royalties and other income received for the use of the intangible property shall be apportioned to this state according to the portion of the intangible property's use in this state. If the portion of intangible property's use in this state cannot be determined, the royalties and other income received for the use of the intangible property shall be excluded from the numerator and the denominator of the sales factor under par. (a). Intangible property is used in this state if a purchaser uses the intangible property or uses the rights to intangible property in the regular course of the purchaser's business in this state, regardless of where the purchaser's customers are located.

2. For taxable years beginning after December 31, 1999, sales of intangible property are attributed to the state where a purchaser uses the intangible property. If intangible property is used in more than one state, the sales of the intangible property shall be apportioned to this state according to the portion of the intangible property's use in this state. If the portion of intangible property's use in this state cannot be determined, the sales of the intangible property shall be excluded from the numerator and the denominator of the sales factor under par. (a). Intangible property is used in this state if a purchaser uses the intangible property in the

regular course of the purchaser's business in this state, regardless of where the purchaser's customers are located.

SECTION 1682. 71.04 (7) (dr) of the statutes is created to read:

71.04 **(7)** (dr) For taxable years beginning after December 31, 1999, receipts from the performance of services are attributed to the state where the purchaser received the benefit of the services. If a purchaser 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 benefit 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.

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<u>, 1997 stats</u>.

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~~ <u>All</u> 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 1685. 71.05 (6) (b) 21. of the statutes is repealed.

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~~ 14.63.

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 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. For a head of household who has a Wisconsin adjusted gross income of more than $25,000, 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 but not more than $70,380, 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 single individual who has a Wisconsin adjusted gross income of more than $70,380, the standard deduction is $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 but not more than $30,350, 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. For a head of household who has a Wisconsin adjusted gross income of more than $30,350, 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 but not more than $80,150, 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 couple filing jointly that has an aggregate Wisconsin adjusted gross income of more than $80,150, the standard deduction is $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 but not more than $38,070, 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. For a married individual filing separately who has a Wisconsin adjusted gross income of more than $38,070, 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 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<u>, and before January 1, 2000, and for taxable years beginning after December 31, 2000</u>, the dollar amounts of the standard deduction that is allowable under ~~par.~~ <u>pars.</u> (dm) <u>and (dp)</u> and all of the dollar amounts of Wisconsin adjusted gross income under ~~par.~~ <u>pars.</u> (dm) <u>and (dp)</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, 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, 2001, the maximum dollar amount in each tax bracket, and the corresponding minimum dollar amount in the next bracket, under subs. (1p) and (2) (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, 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 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 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 1710. 71.07 (3) of the statutes is amended to read:

71.07 **(3)** FARMLAND PRESERVATION CREDIT, FARMLAND PRESERVATION ACREAGE CREDIT. The farmland preservation credit and the farmland preservation acreage credit under subch. IX may be claimed against taxes otherwise due.

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.

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 1718. 71.07 (9e) (af) (intro.) of the statutes is amended to read:

71.07 **(9e)** (af) (intro.) For taxable years beginning after December 31, 1995, and subject to par. (afm), any natural person may credit against the tax imposed under s. 71.02 an amount equal to one of the following percentages of the federal basic earned income credit for which the person is eligible for the taxable year under section 32 (b) (1) (A) to (C) of the internal revenue code:

SECTION 1719. 71.07 (9e) (afm) of the statutes is created to read:

71.07 **(9e)** (afm) If a natural person who is otherwise eligible for the credit under this subsection is also participating in Wisconsin works under s. 49.147 (4) (c), the credit that such a natural person may claim under par. (af) shall be calculated as if the calculation of the person's federal basic earned income credit described in

par. (af) did not include wages that the person received from a wage–paying community service job under s. 49.147 (4) (c).

SECTION 1720. 71.10 (4) (i) of the statutes is amended to read:

71.10 **(4)** (i) The total of claim of right credit under s. 71.07 (1), farmland preservation credit and farmland preservation acreage credit under subch. IX, homestead credit under subch. VIII, farmland tax relief credit under s. 71.07 (3m), farmers' drought property tax credit under s. 71.07 (2fd), earned income tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09, and taxes withheld under subch. X.

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 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 1723. 71.23 (3) (d) of the statutes is created to read:

71.23 **(3)** (d) The storage for any length of time in this state in or on property owned by a person other than the foreign corporation of its tangible personal property and the transfer of possession to another person in this state when the tangible personal property is for fabricating, processing, manufacturing or printing by that other person in this state.

SECTION 1724. 71.25 (5) (a) (intro.) of the statutes is amended to read:

71.25 **(5)** (a) *Apportionable income.* (intro.) Except as provided in sub. (6), corporations engaged in business both within and without this state are subject to apportionment. Income, gain or loss from the sources listed in this paragraph is presumed apportionable. Apportionable income includes all income or loss of corporations, other than nonapportionable income as specified in par. (b), including~~,~~ ~~but not limited to,~~ income, gain or loss from the following sources:

SECTION 1725. 71.25 (5) (a) 9. of the statutes is amended to read:

71.25 **(5)** (a) 9. Interest and dividends ~~if the operations of the payer are unitary with those of the payee, or if those operations are not unitary but the investment activity from which that income is derived is an integral part of a unitary business and the payer and payee are neither affiliates nor related as parent company and subsidiary. In this subdivision, "investment activity" includes decision making relating to the purchase and sale of stocks and other securities, investing surplus funds and the management and record keeping associated with corporate investments, not including activities of a broker or other agent in maintaining an investment portfolio~~.

SECTION 1726. 71.25 (5) (a) 10. of the statutes is amended to read:

71.25 **(5)** (a) 10. Sale of intangible assets ~~if the operations of the company in which the investment was made were unitary with those of the investing company,~~

~~or if those operations were not unitary but the investment activity from which that gain or loss was derived is an integral part of a unitary business and the companies were neither affiliates nor related as parent company and subsidiary. In this subdivision, "investment activity" has the meaning given under subd. 9~~.

SECTION 1727. 71.25 (5) (b) 1. of the statutes is renumbered 71.25 (5) (b).

SECTION 1728. 71.25 (5) (b) 2. of the statutes is repealed.

SECTION 1729. 71.25 (6) of the statutes is amended to read:

71.25 **(6)** ALLOCATION AND SEPARATE ACCOUNTING AND APPORTIONMENT FORMULA. 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~~ <u>For taxable years beginning before January 1, 2000, the</u> remaining net income shall be apportioned to ~~Wisconsin~~ <u>this state</u> 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. For taxable years beginning on or after January 1, 2000, the remaining net income shall be apportioned to this state by use of 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) and for taxable years beginning before January 1, 2000:

SECTION 1731. 71.25 (8) (intro.) of the statutes is amended to read:

71.25 **(8)** PAYROLL FACTOR. (intro.) For purposes of sub. (5) and for taxable years beginning before January 1, 2000:

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). This paragraph does not apply to taxable years beginning after December 31, 1999.

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. A motor vehicle is used in this state if it is registered in this state and used wholly in this state.

2. The use of rolling stock in this state is determined by multiplying the receipts from the lease or rental of the rolling stock by a fraction having as a numerator the miles traveled within this state by the leased or rented rolling stock and having as a denominator the total miles traveled by the leased or rented rolling stock.

3. The use of an aircraft in this state is determined by multiplying the 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 and having as a denominator the total number of landings anywhere of the aircraft.

4. The use of a vessel, mobile equipment or other mobile property in this state is determined by multiplying the receipts from the lease or rental of the property by a fraction having as a numerator the number of days in the taxable year that the vessel, mobile equipment or other mobile property was in this state and having as a denominator the number of days in the taxable year that the vessel, mobile equipment or other mobile property was rented or leased.

SECTION 1735. 71.25 (9) (dn) of the statutes is created to read:

71.25 **(9)** (dn) 1. For taxable years beginning after December 31, 1999, royalties and other income received for the use of intangible property are attributed to the

state where the purchaser uses the intangible property. If intangible property is used in more than one state, the royalties and other income received for the use of the intangible property shall be apportioned to this state according to the portion of the intangible property's use in this state. If the portion of intangible property's use in this state cannot be determined, the royalties and other income received for the use of intangible property shall be excluded from the numerator and the denominator of the sales factor under par. (a). Intangible property is used in this state if a purchaser uses the intangible property or uses the rights to intangible property in the regular course of the purchaser's business in this state, regardless of where the purchaser's customers are located.

2. For taxable years beginning after December 31, 1999, sales of intangible property are attributed to the state where a purchaser uses the intangible property. If intangible property is used in more than one state, the sales of the intangible property shall be apportioned to this state according to the portion of the intangible property's use in this state. If the portion of intangible property's use in this state cannot be determined, the sales of the intangible property shall be excluded from the numerator and the denominator of the sales factor under par. (a). Intangible property is used in this state if a purchaser uses the intangible property in the regular course of the purchaser's business in this state, regardless of where the purchaser's customers are located.

SECTION 1736. 71.25 (9) (dr) of the statutes is created to read:

71.25 **(9)** (dr) For taxable years beginning after December 31, 1999, receipts from the performance of services are attributed to the state where the purchaser received the benefit of the services. If a purchaser 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 benefit 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.

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 1739. 71.255 of the statutes is created to read:

71.255 Combined reporting. (1) DEFINITIONS. In this section:

(a) "Affiliated group" means any of the following:

1. A parent corporation and any corporation or chain of corporations that are connected to the parent corporation by ownership by the parent corporation if the parent corporation owns stock representing at least 50% of the voting stock of at least one of the connected corporations or if the parent corporation or any of the connected corporations owns stock that cumulatively represents at least 50% of the voting stock of each of the connected corporations.

2. Any 2 or more corporations if a common owner owns stock representing at least 50% of the voting stock of the corporations or the connected corporations.

3. A partnership, limited liability company or tax–option corporation if a parent corporation or any corporation connected to the parent corporation by common ownership owns shares representing at least 50% of the shares of the partnership, limited liability company or tax–option corporation.

4. Any 2 or more corporations if stock representing at least 50% of the voting stock in each corporation are interests that cannot be separately transferred.

5. Any 2 or more corporations if stock representing at least 50% of the voting stock is directly owned by, or for the benefit of, family members. In this subdivision, "family members" means an individual or a spouse related by blood, marriage or adoption within the 2nd degree of kinship as computed under s. 852.03 (2), 1995 stats.

(b) "Combined report" means a form prescribed by the department that shows the calculations under this section to divide the income of an affiliated group conducting a unitary business among the jurisdictions where the affiliated group conducts its trade or business.

(c) "Corporation" has the meaning given in s. 71.22 (1) or 71.42 (1).

(d) "Department" means the department of revenue.

(e) "Intercompany transaction" means a transaction between corporations, partnerships, limited liability companies or tax–option corporations that become members of the same affiliated group that is engaged in a unitary business immediately after the transaction.

(f) "Partnership" means any entity considered a partnership under section 7701 of the Internal Revenue Code.

(g) "Unitary business" means 2 or more businesses that have common ownership or are integrated with or dependent upon each other. Two or more businesses are presumed to be a unitary business if the businesses have centralized management or a centralized executive force; centralized purchasing, advertising or accounting; intercorporate sales or leases; intercorporate services; intercorporate debts; intercorporate use of proprietary materials; interlocking directorates or

interlocking corporate officers; or if a business conducted in this state is owned by a person that conducts a business entirely outside of this state that is different from the business conducted in this state.

(2) CORPORATIONS REQUIRED TO USE COMBINED REPORTING. A corporation that is subject to tax under s. 71.23 (1) or (2) or 71.43, that is a member of an affiliated group and that is engaged in a unitary business with one or more members of the affiliated group shall compute the corporation's income using the combined reporting method under this section. Any corporation, regardless of the country where the corporation is organized or incorporated or conducts business, and any tax–option corporation, if the department determines that combined reporting is necessary to accurately report the income of the tax–option corporation apportioned to this state, shall file a combined report if the corporation is a member of an affiliated group that is engaged in a unitary business.

(3) ACCOUNTING PERIOD. For purposes of this section, the income under ss. 71.26, 71.34 and 71.45, the apportionment factors under ss. 71.25 and 71.45 and the tax credits under ss. 71.28 and 71.47 of all corporations that are members of an affiliated group and that are engaged in a unitary business shall be determined by using the same accounting period. If the affiliated group that is engaged in a unitary business has a common parent corporation, the accounting period of the common parent corporation shall be used to determine the income, the apportionment factors and the tax credits of all the corporations that are members of the affiliated group that is engaged in a unitary business. If the affiliated group that is engaged in a unitary business has no common parent corporation, the income, the apportionment factors and the tax credits of the affiliated group that is engaged in a unitary business

shall be determined using the accounting period of the member of the affiliated group that has the most significant operations on a recurring basis in this state.

(4) FILING RETURNS. (a) *Corporations with the same accounting period.* Corporations that must file a return under this section and that have the same accounting period may file a combined report under par. (c) that reports the aggregate state franchise or state income tax liability of all of the members of the affiliated group that are engaged in a unitary business. Corporations that are required to file a combined report under this section may file separate returns reporting the respective apportionment of the corporation's state franchise or state income tax liability as determined under the combined reporting method, if each corporation filing a separate return pays its own apportionment of its state franchise or state income tax liability.

(b) *Corporations with different accounting periods.* Corporations that are required to file a combined report and that have different accounting periods shall use the actual figures from the corporations' financial records to determine the proper income and income–related computations to convert to a common accounting period. Corporations that are required to file a combined report may use a proportional method to convert income to a common accounting period if the results of the proportional method do not materially misrepresent the income apportioned to this state. The apportionment factors under ss. 71.25 and 71.45 and the tax credits under ss. 71.28 and 71.47 shall be computed according to the same method used to determine the income under ss. 71.26, 71.34 and 71.45 for the common accounting period. If a corporation performs an interim closing of its financial records to determine the income attributable to the common accounting period, the actual

figures from the interim closing shall be used to convert the apportionment factors to the common accounting period.

(c) *Designated agent.* If corporations that are subject to this section file a combined report under par. (a), the parent corporation of the affiliated group shall be the sole designated agent for each member of the affiliated group including the parent corporation. The designated agent shall file the combined report under par. (a), shall file for any extensions under s. 71.24 (7) or 71.44 (3), shall file amended reports and claims for refund or credit, and shall send and receive all correspondence with the department regarding a combined report. Any notice the department sends to the designated agent is considered a notice sent to all members of the affiliated group. Any refund shall be paid to and in the name of the designated agent and shall discharge any liability of the state to any member of an affiliated group regarding the refund. The affiliated group filing a combined report under par. (a) shall pay all taxes, including estimated taxes, in the designated agent's name. The designated agent shall participate on behalf of the affiliated group in any investigation or hearing requested by the department regarding a combined report and shall produce all information requested by the department regarding a combined report. The designated agent may execute a power of attorney on behalf of the members of the affiliated group. The designated agent shall execute waivers, closing agreements and other documents regarding a report filed under par. (a) and any waiver, agreement or document executed by the designated agent shall be considered as executed by all members of the affiliated group. If the department acts in good faith with an affiliated group member that represents itself as the designated agent for the affiliated group but that affiliated group member is not the designated agent, any action taken by the department with that affiliated group member has the same

effect as if that affiliated group member were the actual designated agent for the affiliated group.

(d) *Part–year members.* If a corporation becomes a member of an affiliated group engaged in a unitary business or ceases to be a member of an affiliated group engaged in a unitary business after the beginning of a common accounting period, the corporation's income shall be apportioned to this state as follows:

1. If the corporation is required to file 2 short period federal returns for the common accounting period, the income for the short period that the corporation was a member of an affiliated group engaged in a unitary business shall be determined by using the combined reporting method and the corporation shall join in filing a combined report for that short period. The income for the remaining short period shall be by separate reporting under s. 71.25 or 71.45. If the corporation becomes a member of another affiliated group that is engaged in a unitary business in the remaining short period, the corporation's income shall be determined for the remaining short period by using the combined reporting method.

2. If the corporation is not required to file federal short period returns, the corporation shall file a separate return. Income shall be determined as follows:

a. By the combined reporting method for any period that the corporation was a member of an affiliated group that was engaged in a unitary business.

b. By separate reporting under s. 71.25 or 71.45 for any period that the corporation was not a member of an affiliated group that was engaged in a unitary business.

(e) *Amended combined report.* The election to file a combined report under this section applies to an amended combined report that includes the same corporations

that joined in the filing of the original combined report. Under this section, an amended combined report shall be filed as follows:

1. If an election to file a combined report that is in effect for a taxable year is revoked for the taxable year because the affiliated group that filed the combined report is not a unitary business, as determined by the department, the designated agent for the affiliated group may not file an amended combined report. The designated agent and each corporation that joined in filing the combined report shall file a separate amended return. To compute the tax due on a separate amended return, a corporation that files a separate amended return shall consider all of the payments, credits or other amounts, including refunds, that the designated agent allocated to the corporation.

2. If a change in tax liability under this section is the result of the removal of a corporation from an affiliated group because the corporation was not eligible to be a member of the affiliated group for the taxable year, as determined by the department, the designated agent shall file an amended combined report and the ineligible corporation shall file a separate amended return.

3. If a corporation erroneously fails to join in the filing of a combined report, the designated agent shall file an amended combined report that includes the corporation. If a corporation that erroneously fails to join in the filing of a combined report has filed a separate return, the corporation shall file an amended separate return that shows no net income, overpayment or underpayment, and shows that the corporation has joined in the filing of a combined report.

(5) INCOME COMPUTATION UNDER COMBINED REPORTING. Under the combined reporting method, income attributable to this state shall be determined as follows:

(a) Determine the net income of each corporation under s. 71.26, 71.34 (1) or 71.45, including a general or limited partner's share of income to the extent that the general or limited partner and the partnership in which the general or limited partner invests are engaged in a unitary business, regardless of the percentage of the general or limited partner's ownership in the partnership.

(b) Adjust each corporation's income, as determined under par. (a), as provided under s. 71.30.

(c) From the amount determined under par. (b), subtract intercompany transactions such that intercompany accounts of assets, liabilities, equities, income, costs or expenses are excluded from the determination of income to accurately reflect the income, the apportionment factors and the tax credits in a combined report that is filed under this section. Distributions of intercompany dividends that are paid from nonbusiness earnings or nonbusiness profits, or distributions of intercompany dividends that are paid from earnings or profits that are accumulated before the payer corporation becomes a member of an affiliated group that is engaged in a unitary business, may not be excluded from the income of the recipient corporation. An intercompany distribution that exceeds the payer corporation's earnings or profits or stock basis shall not be considered income from an intercompany sale of an asset and shall not be excluded as income from an intercompany transaction. Intercompany dividends that are paid from earnings or profits from a unitary business income shall be considered as paid first from current earnings or profits and then from accumulations from prior years in reverse order of accumulation. An intercompany transaction includes the following:

1. Income from sales of inventory from one member of the affiliated group to another member of the affiliated group.

2. Gain or loss from sales of intangible assets from one member of the affiliated group to another member of the affiliated group.

3. Gain or loss on sales of fixed assets or capitalized intercompany charges from one member of the affiliated group to another member of the affiliated group.

4. Loans, advances, receivables and similar items that one member of the affiliated group owes to another member of the affiliated group, including interest income and interest expense related to these items.

5. Stock or other equity of one member of the affiliated group that is owned or controlled by another member of the affiliated group.

6. Except as provided in par. (c) (intro.), intercompany dividends paid out of earnings or profits from a unitary business income.

7. Annual rent paid by one member of the affiliated group to another member of the affiliated group.

8. Management or service fees paid by one member of the affiliated group to another member of the affiliated group.

9. Income or expenses allocated or charged by one member of the affiliated group to another member of the affiliated group.

(d) From the amount determined under par. (c) for each corporation, subtract nonbusiness income, net of related expenses, and add nonbusiness losses, net of related expenses, to determine each corporation's apportionable net income or apportionable net loss.

(e) Calculate the apportionment factors under sub. (6) and multiply each corporation's apportionable net income or apportionable net loss, as determined under par. (d), by the corporation's apportionment fraction as determined under s. 71.25 (6).

(f) To the amount determined under par. (e), add each corporation's nonbusiness income attributable to this state and subtract each corporation's nonbusiness losses attributable to this state.

(g) To the amount determined under par. (f), subtract each corporation's net business loss carry–forward under s. 71.26 (4) or 71.45 (4). A corporation may not carry forward a business loss from taxable years ending before January 1, 2000, if the corporation was not subject to this state's income or franchise tax for taxable years ending before January 1, 2000.

(6) APPORTIONMENT FACTOR COMPUTATION UNDER COMBINED REPORTING. Under the combined reporting method, this state's apportionment factors are determined as follows:

(a) Determine the numerator and the denominator of each corporation's apportionment factors as determined under s. 71.25 or 71.45, including a general or limited partner's share of the numerator and the denominator of the apportionment factors to the extent that the general or limited partner and the partnership in which the general or limited partner invests are engaged in a unitary business, regardless of the percentage of the general or limited partner's ownership in the partnership.

(b) Subtract intercompany transactions under sub. (5) (c) from both the numerators and the denominators as determined under par. (b).

(c) Add the denominators of the apportionment factors for each corporation, as determined under par. (b), to arrive at the combined denominators.

(d) Compute each corporation's apportionment factors by dividing the corporation's numerator as determined under par. (b) by the combined denominator as determined under par. (c).

(7) NET OPERATING LOSSES. For the first 2 taxable years that a combined report is filed under this section, the net operating loss for each member of an affiliated group that files a combined report is determined by adding each member's share of nonbusiness income to each member's share of business income and subtracting each member's share of nonbusiness loss from each member's share of business loss. Beginning with the 3rd taxable year that a combined report is filed under this section, if a member of an affiliated group that files a combined report has a positive net income as determined under sub. (5), the affiliated group shall only deduct the amount of the net operating loss carry–forward attributable to that member.

(8) ESTIMATED TAX PAYMENTS. (a) For the first 2 taxable years that a combined report is filed under this section, estimated taxes may be paid on a group basis or on a separate basis. The amount of any separate estimated taxes paid in the first 2 taxable years that a combined report is filed shall be credited against the group's tax liability. The designated agent shall notify the department of any estimated taxes paid on a separate basis in the first 2 taxable years that a combined report is filed.

(b) If a combined report is filed for 2 consecutive taxable years, estimated taxes shall be paid on a group basis for each subsequent taxable year until such time as separate returns are filed by the corporations that were members of an affiliated group that filed combined reports under this section. For each taxable year in which combined estimated payments are required under this subsection, the department shall consider the affiliated group filing a combined report to be one taxpayer. If a corporation subject to this section files a separate return in a taxable year following a year in which the corporation joined in filing a combined report, the amount of any estimated tax payments made on a group basis for the previous year shall be credited

against the tax liability of the corporation that files a separate return, as allocated by the designated agent with the department's approval.

(c) If an affiliated group pays estimated taxes on a group basis for a taxable year or for any part of a taxable year, and the members of the affiliated group file separate returns for the taxable year, the designated agent, with the department's approval, shall allocate the estimated tax payments among the members of the affiliated group.

(d) If estimated taxes are paid on a group basis for a taxable year but the group does not file a combined report for the taxable year and did not file a combined report for the previous taxable year, the estimated tax shall be credited to the corporation that made the estimated tax payment on the group's behalf.

(9) INTEREST FOR UNDERPAYMENT OF ESTIMATED TAX. (a) *General.* The amount of interest that is due for an underpayment of estimated taxes under sub. (8) shall be computed as follows:

1. For the first year in which a combined report is filed, the amount of interest that is due for an underpayment of estimated taxes shall be determined by using the aggregate of the tax and income shown on the returns filled by the members of the group for the previous year.

2. For estimated taxes paid under sub. (8) (c), the amount of interest that is due from a group member for an underpayment of estimated taxes paid by the group member shall be determined by using the group member's separate items from the combined report filed for the previous year and the group member's allocated share of the combined estimated payments for the current year. The designated agent shall report the group member's allocated share of the combined estimated payments for the current year to the department, in the manner prescribed by the department.

(b) *Entering a group.* For a corporation that becomes a member of an affiliated group during a common accounting period under sub. (3), the amount of interest that is due for an underpayment of estimated taxes shall be allocated to the corporation as follows:

1. If a corporation becomes a member of an affiliated group at the beginning of a common accounting period, the corporation shall include with the corresponding items on the combined report for the previous common accounting period the separate items shown on the corporation's return for the previous taxable year.

2. If a corporation is not a member of an affiliated group for an entire common accounting period, the corporation shall include with the corresponding items on the combined report for the current taxable year the corporation's separate items for that portion of the common accounting period that the corporation was a member of the affiliated group.

3. To determine the separate items under subds. 1. and 2., if a corporation is a member of an affiliated group during a portion of a common accounting period in which the corporation becomes a member of another affiliated group, the corporation's separate items shall include the separate items that are attributed to the corporation by the designated agent of the first affiliated group.

(c) *Leaving a group.* For a corporation that leaves an affiliated group during a common accounting period under sub. (3), the amount of interest that is due for an underpayment of estimated taxes shall be allocated as follows:

1. The separate items attributed by the designated agent to the corporation for the common accounting period during which the corporation leaves the affiliated group shall be excluded from the corresponding items of the affiliated group for the

current common accounting period and all the common accounting periods following the corporation's departure from the affiliated group.

2. A corporation that leaves an affiliated group shall consider the separate items attributed to the corporation by the designated agent of the affiliated group to determine the amount of interest that is due from the corporation for an underpayment of estimated taxes under sub. (8).

(10) ASSESSMENT NOTICE. If the department sends a notice of taxes that are owed by an affiliated group to the designated agent, the notice shall name each corporation that is a member of the affiliated group during any part of the period covered by the notice. The department's failure to name a member of the affiliated group on a notice under this subsection shall not invalidate the notice as to the unnamed member of the affiliated group. Any levy, lien or other proceeding to collect the amount of a tax assessment under this section shall name the corporation from which the department shall collect the assessment. If a corporation that joined in the filing of a combined report leaves the affiliated group, the department shall send the corporation a copy of any notice sent to the affiliated group under this subsection if the corporation notifies the department that the corporation is no longer a member of the affiliated group and if the corporation requests in writing that the department send notices under this subsection to the corporation. The department's failure to comply with a corporation's request to receive a notice does not affect the tax liability of the corporation.

(11) LIABILITY FOR TAX, INTEREST AND PENALTY. If members of an affiliated group file a combined report, the members of the affiliated group shall be jointly and severally liable for any combined tax, interest or penalty. The liability of a member of an affiliated group for any combined tax, interest or penalty shall not be reduced

by an agreement with another member of the affiliated group or by an agreement with another person.

(12) PRESUMPTIONS AND BURDEN OF PROOF. An affiliated group shall be presumed to be engaged in a unitary business and all of the income of the unitary business shall be presumed to be apportionable business income under this section. A corporation, partnership, limited liability company or tax–option corporation has the burden of proving that it is not a member of an affiliated group that is subject to this section. The department shall promulgate rules to implement 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 1741. 71.26 (3) (L) of the statutes is amended to read:

71.26 **(3)** (L) Section 265 is excluded and replaced by the rule that any amount otherwise deductible under this chapter that is directly or indirectly related to income wholly exempt from taxes imposed by this chapter or to losses from the sale or other disposition of assets the gain from which would be exempt under this paragraph if the assets were sold or otherwise disposed of at a gain is not deductible. In this paragraph, "wholly exempt income", for corporations subject to franchise or income taxes, includes ~~amounts received from affiliated or subsidiary corporations for~~ interest, dividends or capital gains that~~, because of the degree of common ownership, control or management between the payor and payee,~~ are not subject to taxes under this chapter. In this paragraph, "wholly exempt income", for corporations subject to income taxation under this chapter, also includes interest on

obligations of the United States. In this paragraph, "wholly exempt income" does not include income excludable, not recognized, exempt or deductible under specific provisions of this chapter. If any expense or amount otherwise deductible is indirectly related both to wholly exempt income or loss and to other income or loss, a reasonable proportion of the expense or amount shall be allocated to each type of income or loss, in light of all the facts and circumstances.

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 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 1744. 71.28 (2) of the statutes is amended to read:

71.28 **(2)** FARMLAND PRESERVATION CREDIT, FARMLAND PRESERVATION ACREAGE CREDIT. The farmland preservation credit and the farmland preservation acreage credit under subch. IX may be claimed against taxes otherwise due subject to the provisions, requirements and conditions of that subchapter.

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 1746. 71.28 (4) (am) 1. of the statutes is amended to read:

71.28 **(4)** (am) *Development zone additional research credit.* 1. In addition to the credit under par. (a), 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" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, 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" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41 (c) of the internal revenue code,

in a development zone, 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) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this subdivision. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this subdivision. Section 41 (h) of the internal revenue code does not apply to the credit under this subdivision.

SECTION 1747. 71.29 (2) of the statutes is amended to read:

71.29 **(2)** WHO SHALL PAY. ~~Every~~ Except as provided in s. 71.255 (8), a corporation subject to tax under s. 71.23 (1) or (2) and every virtually exempt entity subject to tax under s. 71.125 or 71.23 (1) or (2) shall pay an estimated tax.

SECTION 1748. 71.30 (3) (f) of the statutes is amended to read:

71.30 **(3)** (f) The total of farmers' drought property tax credit under s. 71.28 (1fd), farmland preservation credit and farmland preservation acreage credit under subch. IX, farmland tax relief credit under s. 71.28 (2m) and estimated tax payments under s. 71.29.

SECTION 1749. 71.44 (1) (e) of the statutes is created to read:

71.44 **(1)** (e) A corporation that is a member of an affiliated group, as defined in s. 71.255 (1) (a), and engaged in a unitary business, as defined in s. 71.255 (1) (g), shall file a tax return under s. 71.255.

SECTION 1750. 71.45 (3) (intro.) of the statutes is amended to read:

71.45 **(3)** APPORTIONMENT. (intro.) ~~With~~ Except as provided in pars. (a) and (b), with respect to domestic insurers not engaged in the sale of life insurance but which, in the taxable year, have collected premiums written on subjects of insurance resident, located or to be performed outside this state, there shall be subtracted from 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 percentage of total premiums written on all property and risks other than life insurance, wherever located during the taxable year, as reflects premiums written on insurance, other than life insurance, where the subject of insurance was resident, located or to be performed outside this state. For taxable years beginning after December 31, 1999, the premiums percentage under this paragraph is the only percentage applied to the apportionment calculations in this paragraph and in sub. (3m).

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 percentage of total payroll, exclusive of life insurance payroll, paid everywhere in the taxable year as reflects such compensation paid outside this state. The payroll percentage under this paragraph does not apply to the apportionment calculations under this paragraph and under sub. (3m) for taxable years beginning after December 31, 1999.

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 1753. 71.45 (3m) of the statutes is amended to read:

71.45 **(3m)** ARITHMETIC AVERAGE. ~~The~~ Except as provided in pars. (a) and (b), 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 1754. 71.46 (3) of the statutes is repealed.

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 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 1757. 71.47 (2) of the statutes is amended to read:

71.47 **(2)** FARMLAND PRESERVATION CREDIT, FARMLAND PRESERVATION ACREAGE CREDIT. The farmland preservation credit and the farmland preservation acreage credit under subch. IX may be claimed against taxes otherwise due.

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 1759. 71.47 (4) (am) of the statutes is amended to read:

71.47 **(4)** (am) *Development zone additional research credit.* In addition to the credit under par. (a), 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" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, 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" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41 (c) of the internal revenue code, in a development zone, 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) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph. No credit may be claimed under this paragraph for taxable years that begin on January 1, 1998, or

thereafter. Credits under this paragraph for taxable years that begin before January 1, 1998, may be carried forward to taxable years that begin on January 1, 1998, or thereafter.

SECTION 1760. 71.48 of the statutes is amended to read:

71.48 Payments of estimated taxes. ~~Sections~~ Except as provided in s. 71.255 (8), ss. 71.29 and 71.84 (2) shall apply to insurers subject to taxation under this chapter.

SECTION 1761. 71.49 (1) (f) of the statutes is amended to read:

71.49 **(1)** (f) The total of farmers' drought property tax credit under s. 71.47 (1fd), farmland preservation credit and farmland preservation acreage credit under subch. IX, farmland tax relief credit under s. 71.47 (2m) and estimated tax payments under s. 71.48.

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 1765. 71.58 (8) of the statutes is amended to read:

71.58 **(8)** "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on the farmland and improvements owned by the claimant or any member of the claimant's household in any calendar year under ch. 70, less the tax credit, if any, afforded in respect of the property by s. 79.10. "Property taxes accrued" shall not exceed ~~$6,000~~ <u>the amount described as the maximum excessive property tax in s. 71.60 (1) (a)</u>. If farmland is owned by a tax–option corporation, a limited liability company or by 2 or more persons or entities as joint tenants, tenants in common or partners or is marital property or survivorship marital property and one or more such persons, entities or owners is not a member of the claimant's household, "property taxes accrued" is that part of property taxes levied on the farmland, reduced by the tax credit under s. 79.10, that reflects the ownership percentage of the claimant and the claimant's household. For purposes of this subsection, property taxes are "levied" when the tax roll is delivered to the local treasurer for collection. If farmland is sold during the

calendar year of the levy the "property taxes accrued" for the seller is the amount of the tax levy, reduced by the tax credit under s. 79.10, prorated to each in the closing agreement pertaining to the sale of the farmland, except that if the seller does not reimburse the buyer for any part of those property taxes there are no "property taxes accrued" for the seller, and the "property taxes accrued" for the buyer is the property taxes levied on the farmland, reduced by the tax credit under s. 79.10, minus, if the seller reimburses the buyer for part of the property taxes, the amount prorated to the seller in the closing agreement. With the claim for credit under this subchapter, the seller shall submit a copy of the closing agreement and the buyer shall submit a copy of the closing agreement and a copy of the property tax bill.

SECTION 1766. 71.59 (1) (a) of the statutes is amended to read:

71.59 **(1)** (a) Subject to the limitations provided in this subchapter and s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or franchise taxes otherwise due, the amount derived under s. 71.60 <u>or the amount derived under s. 71.605, or both</u>. If the allowable amount of claim exceeds the income or franchise taxes otherwise due on or measured by the claimant's income or if there are no Wisconsin income or franchise taxes due on or measured by the claimant's income, the amount of the claim not used as an offset against income or franchise taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft drawn on the general fund.

SECTION 1767. 71.59 (1) (b) (intro.) of the statutes is amended to read:

71.59 **(1)** (b) (intro.) Every claimant under this ~~subchapter~~ <u>section and s. 71.60</u> shall supply, at the request of the department, in support of the claim, all of the following:

SECTION 1768. 71.59 (1) (b) 5. of the statutes is created to read:

71.59 **(1)** (b) 5. A copy of a certificate of compliance, issued by the land conservation committee of each of the counties that have jurisdiction over the farmland, that certifies that the soil and water standards that apply to the farmland under s. 92.105 (1), (2) and (3) are being met.

SECTION 1769. 71.59 (1) (c) of the statutes is amended to read:

71.59 **(1)** (c) A farmland preservation agreement submitted under par. (b) 3. shall contain provisions specified under s. 91.13 (8) including either a provision requiring farming operations to be conducted in substantial accordance with a soil and water conservation plan prepared under s. 92.104, 1997 stats., or a provision requiring farming operations to be conducted in compliance with reasonable soil and water conservation standards established under s. 92.105.

SECTION 1770. 71.59 (1) (d) (intro.) of the statutes is amended to read:

71.59 **(1)** (d) (intro.) The certificate ~~of the zoning authority~~ submitted under par. (b) ~~3.~~ 5. shall certify:

SECTION 1771. 71.59 (1) (d) 1. of the statutes is amended to read:

71.59 **(1)** (d) 1. That the lands are within the boundaries of an agricultural zoning district which is part of an adopted ordinance meeting the standards of subch. V of ch. 91 and certified under s. 91.06, 1997 stats.

SECTION 1772. 71.59 (2) (intro.) of the statutes is amended to read:

71.59 **(2)** INELIGIBLE CLAIMS. (intro.) No credit shall be allowed under this ~~subchapter~~ section and s. 71.60:

SECTION 1773. 71.59 (2) (b) of the statutes is amended to read:

71.59 **(2)** (b) If a notice of noncompliance with an applicable soil and water conservation plan under s. 92.104, 1997 stats., is in effect with respect to the claimant at the time the claim is filed.

SECTION 1774. 71.59 (2) (d) of the statutes is amended to read:

71.59 **(2)** (d) For property taxes accrued on farmland zoned for exclusive agricultural use under an ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., which is granted a special exception or conditional use permit for a use which is not an agricultural use, as defined in s. 91.01 (1).

SECTION 1775. 71.60 (1) (a) of the statutes is amended to read:

71.60 **(1)** (a) The amount of excessive property taxes shall be computed by subtracting from property taxes accrued the amount of 7% of the 2nd $5,000 of household income plus 9% of the 3rd $5,000 of household income plus 11% of the 4th $5,000 of household income plus 17% of the 5th $5,000 of household income plus 27% of the 6th $5,000 of household income plus 37% of household income in excess of $30,000. The maximum excessive property tax which can be utilized is $6,000 for claims that are calculated under par. (b) and the maximum excessive property tax which can be utilized is $4,000 for claims that are calculated under par. (bm).

SECTION 1776. 71.60 (1) (b) of the statutes is amended to read:

71.60 **(1)** (b) ~~The~~ Except as provided in par. (bm), the credit allowed under s. 71.59 and this ~~subchapter~~ section shall be limited to 90% of the first $2,000 of excessive property taxes plus 70% of the 2nd $2,000 of excessive property taxes plus 50% of the 3rd $2,000 of excessive property taxes. The maximum credit shall not exceed $4,200 for any claimant. The credit for any claimant shall be the greater of either the credit as calculated under this subchapter as it exists at the end of the year for which the claim is filed or as it existed on the date on which the farmland became subject to a current agreement under subch. II ~~or III~~ of ch. 91 or under subch. III of ch. 91, 1997 stats., using for such calculations household income and property taxes accrued of the year for which the claim is filed.

SECTION 1777. 71.60 (1) (bm) of the statutes is created to read:

71.60 **(1)** (bm) For new claims that are filed under s. 71.59 and this section that relate to taxable years beginning after December 31, 2000, the credit allowed shall be limited to 40% of the first $2,000 of excessive property taxes plus 60% of the next $1,000 of excessive property taxes plus 70% of the next $1,000 of excessive property taxes. The maximum credit shall not exceed $2,100 for any claimant who files a claim to which this paragraph applies. The credit for any claimant shall be the greater of either the credit as calculated under this subchapter as it exists at the end of the year for which the claim is filed or as it existed on the date on which the farmland became subject to a current certificate that is described in s. 71.59 (1) (b) 5., using for such calculations household income and property taxes accrued of the year for which the claim is filed.

SECTION 1778. 71.60 (1) (c) 1. to 3. of the statutes are amended to read:

71.60 **(1)** (c) 1. If the farmland is located in a county which has ~~a certified~~ an agricultural preservation plan certified under ~~subch. IV of ch. 91~~ s. 91.06, 1997 stats., at the close of the year for which credit is claimed and is in an area zoned by a county, city or village for exclusive agricultural use under ch. 91 at the close of such year, the amount of the claim shall be that as specified in par. (b).

2. If the farmland is subject to a transition area agreement under subch. II of ch. 91 on July 1 of the year for which credit is claimed, or the claimant had applied for such an agreement before July 1 of such year and the agreement has subsequently been executed, and the farmland is located in a city or village which has ~~a certified~~ an exclusive agricultural use zoning ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., in effect at the close of the year for which credit is claimed, or in a town which is subject to a ~~certified~~ county exclusive agricultural use zoning

ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., in effect at the close of the year for which credit is claimed, the amount of the claim shall be that as specified in par. (b).

3. If the claimant or any member of the claimant's household owns farmland which is ineligible for credit under subd. 1. or 2. but was subject to a farmland preservation agreement under subch. III of ch. 91, 1997 stats., on July 1 of the year for which credit is claimed, or the owner had applied for such an agreement before July 1 of such year and the agreement has subsequently been executed, and if the owner has applied by the end of the year in which conversion under s. 91.41, 1997 stats., is first possible for conversion of the agreement to a transition area agreement under subch. II of ch. 91, and the transition area agreement has subsequently been executed, and the farmland is located in a city or village which has ~~a certified~~ an exclusive agricultural use zoning ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., in effect at the close of the year for which credit is claimed, or in a town which is subject to a ~~certified~~ county exclusive agricultural use zoning ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., in effect at the close of the year for which credit is claimed, the amount of the claim shall be that specified in par. (b).

SECTION 1779. 71.60 (1) (c) 5. to 8. of the statutes are amended to read:

71.60 **(1)** (c) 5. If the claimant or any member of the claimant's household owns farmland which is ineligible for credit under subds. 1. to 4. but was subject to a farmland preservation agreement under subch. III of ch. 91, 1997 stats., on July 1 of the year for which credit is claimed, or the owner had applied for such an agreement before July 1 of such year and the agreement has subsequently been executed, and if the owner has applied by the end of the year in which conversion

under s. 91.41, 1997 stats., is first possible for conversion of the agreement to an agreement under subch. II of ch. 91, and the agreement under subch. II of ch. 91 has subsequently been executed, the amount of the claim shall be limited to 80% of that specified in par. (b).

6. If the farmland is located in an agricultural district under a ~~certified~~ county agricultural preservation plan certified under ~~subch. IV of ch. 91~~ s. 91.06, 1997 stats., at the close of the year for which credit is claimed, and is located in an area zoned for exclusive agricultural use under a ~~certified~~ town ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., at the close of such year, the amount of the claim shall be the amount specified in par. (b).

6m. If the farmland is located in an agricultural district under a ~~certified~~ county agricultural preservation plan certified under ~~subch. IV of ch. 91~~ s. 91.06, 1997 stats., at the close of the year for which credit is claimed, and is located in an area zoned for exclusive agricultural use under a ~~certified~~ county or town ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., for part of a year but not at the close of that year because the farmland became subject to a city or village extraterritorial zoning ordinance under s. 62.23 (7a), the amount of the claim shall be equal to the amount that the claim would have been under this section if the farmland were subject to a certified county or town exclusive agricultural use ordinance at the close of the year.

7. If the farmland is located in an area zoned for exclusive agricultural use under a ~~certified~~ county, city or village ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., at the close of the year for which credit is claimed, but the county in which the farmland is located has not adopted an agricultural preservation plan

under subch. IV of ch. 91, 1997 stats., by the close of such year, the amount of the claim shall be limited to 70% of that specified in par. (b).

8. If the farmland is subject to a farmland preservation agreement under subch. III of ch. 91, 1997 stats., on July 1 of the year for which credit is claimed or the claimant had applied for such an agreement before July 1 of such year and the agreement has subsequently been executed, the amount of the claim shall be limited to 50% of that specified in par. (b).

SECTION 1780. 71.60 (2) of the statutes is renumbered 71.60 (2) (a) and amended to read:

71.60 **(2)** (a) ~~If~~ For taxable years beginning before January 1, 2001, if the farmland is subject to ~~a certified~~ an ordinance certified under ~~subch. V of ch. 91~~ s. 91.06, 1997 stats., or an agreement under subch. II of ch. 91, in effect at the close of the year for which the credit is claimed, the amount of the claim is 10% of the property taxes accrued or the amount determined under sub. (1), whichever is greater.

SECTION 1781. 71.60 (2) (b) of the statutes is created to read:

71.60 **(2)** (b) For taxable years beginning after December 31, 2000, if the farmland is subject to a certificate of compliance that is described under s. 71.59 (1) (b) 5. and that is in effect at the close of the year for which the credit is claimed, the amount of the claim is 10% of the property taxes accrued or the amount determined under sub. (1), whichever is greater.

SECTION 1782. 71.605 of the statutes is created to read:

71.605 Farmland preservation acreage credit. (1) DEFINITIONS. In this section:

(a) "Development rights" means a holder's nonpossessory interest in farmland that imposes a limitation or affirmative obligation the purpose of which is to retain

or protect natural, scenic or open space values of farmland, assuring the availability of farmland for agricultural, forest, wildlife habitat or open space use, protecting natural resources or maintaining or enhancing air or water quality.

(b) "Nonprofit entity" means an entity 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.

(c) "Political subdivision" means a city, village, town or county.

(2) CALCULATION. If the claimant sells, donates or otherwise transfers the development rights to farmland for which a credit is claimed under this section to the state or to a political subdivision, or to a nonprofit entity, the credit may be calculated as follows:

(a) If farming rights are retained on such farmland, the credit shall be 50 cents for each acre that the claimant sells, donates or otherwise transfers.

(b) If farming rights are not retained on such farmland, the credit shall be 30 cents for each acre that the claimant sells, donates or otherwise transfers.

(3) LIMITATIONS. (a) If a claimant sells, donates or otherwise transfers development rights under sub. (2) to a nonprofit entity, the credit under this section may not be claimed unless the entity enters into a signed agreement with the department of agriculture, trade and consumer protection that contains all of the following:

1. Standards for the management of the farmland, the development rights to which are to be acquired.

2. A prohibition against using the development rights to the farmland which are to be acquired as security for any debt unless the department of agriculture, trade and consumer protection approves the incurring of the debt.

3. A clause that any subsequent sale, donation or other transfer of the development rights to the farmland which are to be acquired is subject to pars. (b) and (e).

(b) The nonprofit entity may subsequently sell, donate or otherwise transfer the acquired development rights to the farmland to the state or to a city, village, town or county, or to a 3rd party other than a creditor if the 3rd party is also a nonprofit entity, except that a sale, donation or transfer to another nonprofit entity may occur only if all of the following apply:

1. The department of agriculture, trade and consumer protection approves the subsequent sale, donation or transfer.

2. The party to whom the development rights are sold, donated or transferred enters into a new contract with the department of agriculture, trade and consumer protection under par. (a).

(c) The nonprofit entity may subsequently sell, donate or transfer the acquired development rights to satisfy a debt or other obligation if the department of agriculture, trade and consumer protection approves the sale, donation or transfer.

(d) The nonprofit entity may subsequently develop the property, with the written consent of the owner of the property and with the written consent of the department of agriculture, trade and consumer protection, in a way that retains or protects natural, scenic or open space values of farmland, assuring the availability of farmland for agricultural, forest, wildlife habitat or open space use, protecting natural resources or maintaining or enhancing air or water quality.

(e) If the nonprofit entity violates any essential provision of the contract, the development rights that were acquired shall vest in the state.

(f) The instrument conveying the development rights to the nonprofit entity shall state the interest of the state under par. (e). The contract entered into under par. (a) and the instrument of conveyance shall be recorded in the office of the register of deeds of each county in which the farmland is located.

(fm) The credit under this section may be claimed only by the person who owns the farmland when the development rights are initially transferred as described in sub. (2).

(g) The credit under this section may not be claimed until the claimant files with the register of deeds of each county in which the farmland is located the certificate that verifies that the development rights to the farmland have been transferred as described in sub. (2).

(h) Section 71.59 (2) (a) and (e), to the extent that it applies to the credit under ss. 71.59 and 71.60, applies to the credit under this section.

(i) If a claimant sells, donates or otherwise transfers development rights under sub. (2) to a political subdivision, the political subdivision may develop the farmland only in a way that is consistent with a comprehensive plan under s. 66.0295.

(4) SUNSET. No new claims may be filed under this section for taxable years that begin after December 31, 2002.

SECTION 1783. 71.61 (6) of the statutes is created to read:

71.61 **(6)** SUNSET. (a) For claims that are filed under s. 71.59 and computed under s. 71.60 for taxable years that begin after December 31, 2000, based on property taxes that are accrued in the previous calendar year, ss. 71.59 (1) (b) 3. and (d) 1. to 4. and 71.60 (1) (c) do not apply.

(b) No new claims may be filed under s. 71.59 and computed under s. 71.60 for taxable years that begin after December 31, 2002.

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)<u>, (1n) or (1p)</u>. 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)<u>, (1n) or (1p)</u> 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<u>, 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</u>

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 1789. 71.84 (2) (a) of the statutes is amended to read:

71.84 **(2)** (a) Except as provided in s. 71.29 (7), in the case of any underpayment of estimated tax under s. 71.255, 71.29 or 71.48 there shall be added to the aggregate tax for the taxable year interest at the rate of 12% per year on the amount of the underpayment for the period of the underpayment. For corporations, except as provided in par. (b), "period of the underpayment" means the time period from the due date of the instalment until either the 15th day of the 3rd month beginning after the end of the taxable year or the date of payment, whichever is earlier. If 90% of the tax shown on the return is not paid by the 15th day of the 3rd month following the close of the taxable year, the difference between that amount and the estimated taxes paid, along with any interest due, shall accrue delinquent interest under s. 71.91 (1) (a).

SECTION 1790. 71.93 (1) (a) 3. of the statutes is amended to read:

71.93 **(1)** (a) 3. An amount that the department of health and family services may recover under s. 49.45 (2) (a) 10. or 49.497, if the department of health and family services has certified the amount under s. 49.85.

SECTION 1791. 73.01 (1) (b) of the statutes is amended to read:

73.01 **(1)** (b) ~~"Small claims" is a matter in which~~ "Summary proceeding" means a matter in which the amount in controversy, including any penalty, after the department of revenue takes its final action on the petition for redetermination is less than ~~$2,500~~ $100,000 unless the commission on its own motion determines that the case not be heard as a ~~small claims case~~ summary proceeding, or unless the

department of revenue ~~determines~~ or a party petitioning for review alleges that the case involves a constitutional issue or alleges that the case has statewide significance.

SECTION 1792. 73.01 (3) (a) of the statutes is amended to read:

73.01 **(3)** (a) ~~The time and place of meetings and hearings~~ Hearings of the commission shall be at times designated by the chairperson and held in any of the following cities: Appleton, Eau Claire, LaCrosse, Madison, Milwaukee and Wausau. Rooms for hearings outside the city of Madison shall be provided under s. 73.07. All hearings held in Milwaukee shall be held in the southeast district office of the department of natural resources. The commission shall maintain permanent hearing rooms in Madison.

SECTION 1793. 73.01 (4) (a) of the statutes is amended to read:

73.01 **(4)** (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and s. 72.86 (4), 1985 stats., and ss. 70.11 (21), 70.38 (4) (a), 70.397, 70.64, 70.75, 70.85 and 70.995 (8), s. 76.38 (12) (a), 1993 stats., ss. 76.39 (4) (c), 76.48 (6), 76.91, 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555, 139.02, 139.03, 139.06, 139.31, 139.315, 139.33, 139.76 and 139.78, subch. XIV of ch. 71 and subch. VII of ch. 77. Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the department's position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner's refund claim, as the case may be,

pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department without the approval of the commission.

SECTION 1794. 73.01 (4) (am) of the statutes is amended to read:

73.01 **(4)** (am) Whenever it appears to the commission or, in respect to hearings conducted by one commissioner, to that commissioner that proceedings have been instituted or maintained by the taxpayer primarily for delay or that the taxpayer's position in those proceedings is frivolous or groundless, the commission or commissioner may assess the taxpayer an amount not to exceed ~~$1,000~~ $5,000 at the same time that the deficiency is assessed. Those damages shall be paid upon notice from the department of revenue and shall be collected as a part of the tax.

SECTION 1795. 73.01 (4) (b) of the statutes is amended to read:

73.01 **(4)** (b) Any matter required to be heard by the commission may be heard by any member of the commission or its hearing examiner and reported to the commission, and hearings of matters pending before it shall be assigned to members of the commission or its hearing examiner by the chairperson. Unless a majority of the commission decides that the full commission should decide a case, cases other than ~~small claims cases~~ summary proceedings shall be decided by a panel of 3 members assigned by the chairperson prior to the hearing. If the parties have agreed to an oral decision, the member or members conducting the hearing may render an oral decision. Hearings shall be open to the public and all proceedings shall be conducted in accordance with rules of practice and procedure prescribed by the commission~~. Small claims cases~~, except a commissioner hearing a summary proceeding shall have the same discretion as a judge under s. 802.12 (2) to order the

parties to select a settlement alternative as provided in s. 802.12 (1). Summary proceedings shall be decided by one commissioner assigned by the chairperson prior to the hearing.

SECTION 1796. 73.01 (4) (dn) of the statutes is amended to read:

73.01 **(4)** (dn) In connection with the hearing of any matter required to be heard and decided by the commission, except appeals arising under s. 70.64 or ch. 76, the chairperson or any member of the commission assigned to hear the matter may~~, with the consent of the parties,~~ render an oral decision. In ~~small claims cases~~ summary proceedings, the presiding commissioner~~, without consent of the parties, either~~ render an oral decision at the close of the hearing or provide a written decision to all parties within 2 weeks after the hearing. Decisions in ~~small claims cases~~ summary proceedings are not precedents. Any party may appeal such oral decision as provided in s. 73.015. Oral decisions constitute notice for purposes of determining the time in which appeals may be taken. Provisions of this section or ch. 227 in conflict with this paragraph do not apply to decisions rendered under this paragraph.

SECTION 1797. 73.01 (4) (e) (intro.) of the statutes is amended to read:

73.01 **(4)** (e) (intro.) Except as provided in par. (dn), the commission in each case heard by it shall, irrespective of ch. 227, make a decision in writing accompanied by findings of fact and conclusions of law. The commission may issue an opinion in writing in addition to its findings of fact and decision. The decision or order of the commission shall become final and shall be binding upon the petitioner and upon the department of revenue for that case unless an appeal is taken from the decision or order of the commission under s. 73.015. Except in respect to ~~small claims~~ summary proceedings decisions, if the commission construes a statute adversely to the contention of the department of revenue:

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), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx) or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx) 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 1799. 73.03 (56) of the statutes is created to read:

73.03 **(56)** To prepare and submit the report required under s. 66.46 (13).

SECTION 1800. 73.0301 (1) (d) 2. of the statutes is amended to read:

73.0301 **(1)** (d) 2. A license issued by the department of health and family services under s. 48.66 (1) (a) to a child welfare agency, group home, shelter care facility or day care center, as required by s. 48.60, 48.625, 48.65 or 938.22 (7).

SECTION 1801. 73.0305 of the statutes is amended to read:

73.0305 Revenue limits 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 ~~subch. VII of ch. 121~~ s. 121.91 (2m) (d). For that limit, 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 1802. 73.09 (4) (c) of the statutes is amended to read:

73.09 **(4)** (c) Recertification is contingent upon submission of ~~a notarized~~ an application for renewal~~, at least 60 days before the expiration date of the current~~

~~certificate,~~ attesting to the completion of the requirements specified in par. (b). Persons applying for renewal on the basis of attendance at the meetings called by the department under s. 73.06 (1) and by meeting continuing education requirements shall submit a $20 recertification fee with their applications. The department may, upon good cause, accept an application for renewal up to one year after the expiration of the current certificate if the applicant has complied with the requirements specified in par. (b).

SECTION 1803. 73.13 of the statutes is created to read:

73.13 Compromising nondelinquent taxes. (1) In this section, "tax" means an amount that is owed to this state under s. 66.75 (1m) (f) 3. or ch. 71, 72, 76, 77, 78 or 139, that is not delinquent, and any addition to tax, interest, penalties, costs or other liability in respect to those amounts.

(2) Any taxpayer may petition the department of revenue to compromise the taxpayer's taxes including the costs, penalties and interest. The petition shall set forth a sworn statement of the taxpayer and shall be in a form that the department prescribes. The department may examine the petitioner under oath concerning the matter and may require the taxpayer to provide the department with financial statements and any other information requested by the department that is related to the petition. If the department finds that the taxpayer is unable to pay the taxes, costs, penalties and interest in full, the department shall determine the amount that the taxpayer is able to pay and shall enter an order reducing the taxes, costs, penalties and interest in accordance with the determination. The order shall provide that the compromise is effective only if paid within 10 days of the date on which the order is issued. The department or its collection agents, upon receipt of the order, shall accept payment in accordance with the order. Upon payment the department

shall credit the unpaid portion of the principal amount of the taxes and make appropriate record of the unpaid amount of penalties, costs, and interest accrued to the date of the order. If within 3 years of the date of the compromise order the department ascertains that the taxpayer has an income or property sufficient to enable the taxpayer to pay the remainder of the tax including costs, penalties and interest, the department shall reopen the matter and order the payment in full of the taxes, costs, penalties and interest. Before the entry of the order, a written notice shall be given to the taxpayer advising of the intention of the department to reopen the matter and fixing a time and place for the appearance of the taxpayer if the taxpayer desires a hearing. Upon entry of the order the department shall make an appropriate record of the principal amount of the taxes, penalties, costs and interest ordered to be paid. Such taxes shall be immediately due and payable and shall thereafter be subject to the interest provided by s. 71.82 (2), as that subsection applies to delinquent income and franchise taxes under s. 71.82, and to the delinquent account fee described in s. 73.03 (33m), and the department shall immediately proceed to collect the taxes together with the unpaid portion of penalties, costs, and interest accrued to the date of the compromise order and the fee described in s. 73.03 (33m).

SECTION 1804. 74.41 (1) (intro.) of the statutes is amended to read:

74.41 **(1)** SUBMISSION OF REFUNDED OR RESCINDED TAXES TO DEPARTMENT. (intro.) By ~~October 1~~ <u>September 15</u> of each year, the clerk of a taxation district may submit to the department of revenue, on a form prescribed by the department of revenue, a listing of all general property taxes on the district's tax roll which, subject to sub. (2), meet any of the following conditions:

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 any or 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.

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), computerized equipment exempt under s. 70.11 (40) 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 1809. 76.39 (2) of the statutes is amended to read:

76.39 **(2)** There is levied annually a gross earnings tax in lieu of all property taxes on the car line equipment of a car line company equal to ~~3%~~ 2.5% of the gross earnings in this state. Every railroad company operating in this state shall, upon making payment to each car line company for use of its cars, withhold ~~3%~~ 2.5% of the amount constituting the gross earnings in this state of such car line company.

SECTION 1810. 76.81 of the statutes is amended to read:

76.81 Imposition. There is imposed a tax on the real property of, and the tangible personal property of, every telephone company, excluding property that is exempt from the property tax under s. 70.11 (39), motor vehicles that are exempt under s. 70.112 (5) ~~and~~, treatment plant and pollution abatement equipment that is exempt under s. 70.11 (21) (a) and computerized equipment that is exempt under s. 70.11 (40). Except as provided in s. 76.815, the rate for the tax imposed on each description of real property and on each item of tangible personal property is the net rate for the prior year for the tax under ch. 70 in the taxing jurisdictions where the description or item is located.

SECTION 1811. 77.25 (21) of the statutes is created to read:

77.25 (21) Of a time–share property, as defined in s. 707.02 (32).

SECTION 1812. 77.255 of the statutes is amended to read:

77.255 Exemptions from return. No return is required with respect to conveyances exempt under s. 77.25 (1), (2r), (4) ~~or~~, (11) or (21) from the fee imposed under s. 77.22. No return is required with respect to conveyances exempt under s. 77.25 (2) unless the transferor is also a lender for the transaction.

SECTION 1813. 77.51 (4) (c) 6. of the statutes is amended to read:

77.51 **(4)** (c) 6. Charges associated with time–share property that is taxable, or that at the time of the charges would be taxable, under s. 77.52 (2) (a) 1. or 2.

SECTION 1814. 77.52 (2) (a) 1. of the statutes is amended to read:

77.52 **(2)** (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations, including the furnishing of rooms or lodging through the sale of ~~a~~ all time–share property, ~~as~~ including that defined in s. 707.02 (32)~~, if the use of the~~

~~rooms or lodging is not fixed at the time of sale as to the starting day or the lodging unit~~. In this subdivision, "transient" means any person residing for a continuous period of less than one month in a hotel, motel or other furnished accommodations available to the public. In this subdivision, "hotel" or "motel" means a building or group of buildings in which the public may obtain accommodations for a consideration, including, without limitation, such establishments as inns, motels, tourist homes, tourist houses or courts, lodging houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins and any other building or group of buildings in which accommodations are available to the public, except accommodations, including mobile homes as defined in s. 66.058 (1) (d), rented for a continuous period of more than one month and accommodations furnished by any hospitals, sanatoriums, or nursing homes, or by corporations or associations organized and operated exclusively for religious, charitable or educational purposes provided that no part of the net earnings of such corporations and associations inures to the benefit of any private shareholder or individual. In this subdivision, "one month" means a calendar month or 30 days, whichever is less, counting the first day of the rental and not counting the last day of the rental.

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~~ $30 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 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 1818. 77.996 (2) (i) of the statutes is created to read:

77.996 **(2)** (i) Formal wear rental firms.

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 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 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 1825. 84.59 (2) of the statutes is amended to read:

84.59 **(2)** The department may, under s. ~~18.56~~ 18.561 (5) and (9) (j) or 18.562 (3) and (5) (e), 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~~ $1,435,165,900 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 1827. 85.02 of the statutes is renumbered 85.02 (1).

SECTION 1828. 85.02 (2) of the statutes is created to read:

85.02 **(2)** The department may assist or coordinate highway corridor land use planning that identifies future land uses, use densities and site layouts that are

appropriate to land adjacent to a highway and that maintain the safety and function of the highway. The department may assist or coordinate information activities related to highway project development.

SECTION 1829. 85.022 (1) (n) of the statutes is created to read:

85.022 **(1)** (n) Land use issues relating to transportation.

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 1831. 85.08 (4m) (h) of the statutes is created to read:

85.08 **(4m)** (h) *Interest rate.* The department, by rule, shall establish the rate of interest applicable to loans under this subsection.

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 1833. 85.135 of the statutes is created to read:

85.135 Fees for certain court orders suspending or revoking an operating privilege. The department shall, by rule, develop and implement a

system for charging circuit courts and municipal courts for each order of the court suspending or revoking an operating privilege under s. 345.47 (1), 800.09 (1) (c), 800.095 (4) (b) 4., 938.17 (2) (d), 938.34 (8) or 938.343 (2) solely for failure to pay a forfeiture imposed for violating an ordinance that is unrelated to the violator's operation of a motor vehicle. The amount of the fee may not exceed the cost of processing the order. The department may not process an order of a court suspending or revoking an operating privilege under s. 345.47 (1), 800.09 (1) (c), 800.095 (4) (b) 4., 938.17 (2) (d), 938.34 (8) or 938.343 (2) until the court has paid the fee required under this section, if any, to the department.

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 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 1835. 85.20 (3) (cr) of the statutes is amended to read:

85.20 **(3)** (cr) To conduct a management performance audit of all urban mass transit systems participating in the program at least once every 5 years. If a management performance audit is required of all urban mass transit systems participating in the program, an eligible applicant served exclusively by a shared–ride taxicab system may be exempted from an audit if the eligible applicant voluntarily complies with s. 85.20 (4m) (b).

SECTION 1836. 85.20 (4m) (a) (intro.) of the statutes is amended to read:

85.20 **(4m)** (a) (intro.) ~~An amount shall be allocated~~ Except as provided in s. 85.20 (4m) (b) 2., the department shall allocate to each eligible applicant ~~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~~ an amount equal to a uniform percentage, established by the department, of the projected operating expenses of ~~the~~ each eligible applicant's urban mass transit system for the calendar year. 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 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 for aids are ~~$60,984,900 in calendar year 1998 and~~ $63,119,300 in calendar year 1999 and $65,012,900 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 1839. 85.20 (4m) (a) 6. c. of the statutes is created to read:

85.20 **(4m)** (a) 6. c. The sum of state aids allocated under this section and federal mass transit aids provided for the projected operating expenses of an urban

mass transit system that has annual operating expenses in excess of $20,000,000 may not exceed 50% of the sum of the projected operating expenses of the urban mass transit system. Only federal mass transit aid that the federal government provides directly to the eligible applicant or to the urbanized area served by the mass transit system or that the department allocates under this section may be counted under this subd. 6. c.

SECTION 1840. 85.20 (4m) (a) 7. a. of the statutes is amended to read:

85.20 **(4m)** (a) 7. a. From the appropriation under s. 20.395 (1) (hr), the uniform percentage for each eligible applicant served by an urban mass transit system operating within an urban area having a population as shown in the 1990 federal decennial census of at least 50,000 or receiving federal mass transit aid for such area, and not specified in subd. 6. <u>This subd. 7. a. does not apply after December 31, 1999.</u>

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 thereafter~~. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 1842. 85.20 (4m) (a) 7m. of the statutes is created to read:

85.20 **(4m)** (a) 7m. a. Beginning on January 1, 2000, from the appropriation under s. 20.395 (1) (hr), the uniform percentage determined by the department for each eligible applicant not described in subd. 6. In allocating state aid under this subdivision, the department shall determine the amount of federal aid available for operating expenses. If the department determines that federal aid is available for an eligible applicant's operating expenses, the department may require the eligible

applicant to accept that federal aid as a condition of receiving state aid under this section.

b. Except as provided in subd. 7m. c., for the purpose of making allocations under subd. 7m. a., the amounts for aids are $24,100,400 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. Except as provided in subd. 7m. c., the sum of state aid and federal aid allocated under this section to an eligible applicant may not exceed 65% of an eligible applicant's projected operating expenses.

c. For an eligible applicant served by a mass transit system operating within an urbanized area that has a population, as shown in the 1990 federal decennial census, of 50,000 or more or that is eligible for only federal mass transit aid for such areas, the sum of state aid and federal aid allocated under this section for calendar years 2000 and 2001 may not exceed 60% of the projected operating expenses. For an eligible applicant served by a mass transit system that operates both partly within an urbanized area that has a population of 50,000 or more, as shown in the 1990 federal decennial census, or that is eligible for federal mass transit aid for urbanized areas having that population and that operates partly in areas other than urbanized areas and is eligible for federal mass transit aid for providing service to those other areas, the sum of state aid and federal aid allocated under this section for the portion of the projected operating expenses of the eligible applicant's mass transit system associated with service within an urbanized area or eligible for federal mass transit aid for service within urbanized areas may not exceed 60% of the projected operating expenses of that service for calendar years 2000 and 2001. This subd. 7m. c. does not apply after December 31, 2001.

SECTION 1843. 85.20 (4m) (a) 8. a. of the statutes is amended to read:

85.20 **(4m)** (a) 8. a. From the appropriation under s. 20.395 (1) (hs), the uniform percentage for each eligible applicant served by an urban mass transit system operating within an area having a population as shown in the 1990 federal decennial census of less than 50,000 or receiving federal mass transit aid for such area. This subd. 8. a. does not apply after December 31, 1999.

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 ~~and thereafter~~. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 1845. 85.20 (4m) (b) 1. of the statutes is amended to read:

85.20 **(4m)** (b) 1. Except as provided in subd. 2., each eligible applicant shall provide a local contribution, exclusive of user fees, toward operating expenses in an amount equal to at least ~~20% of state aid allocations to that eligible applicant under this section~~ 10% of the eligible applicant's operating expenses.

SECTION 1846. 85.20 (4m) (b) 2. of the statutes is amended to read:

85.20 **(4m)** (b) 2. ~~Subdivision 1. does not apply to an~~ Except as provided in this subdivision, an eligible applicant that is served exclusively by a shared–ride taxicab system is not required to meet the requirements of subd. 1. For calendar year 2000, the department may not increase the amount of state aid allocated under this section to an eligible applicant that is served exclusively by a shared–ride taxicab system beyond the amount allocated to that eligible applicant for calendar year 1999, unless the eligible applicant provides a local contribution, exclusive of user fees, toward operating expenses in an amount equal to at least 5% of the eligible applicant's operating expenses. Beginning with calendar year 2001, the department may not

increase the amount of state aid allocated under this section to an eligible applicant that is served exclusively by a shared–ride taxicab system beyond the amount allocated to that eligible applicant during the preceding calendar year, unless the eligible applicant complies with the requirements of subd. 1. This subdivision does not prohibit the department from allocating aid under this section to an eligible applicant served exclusively by a shared–ride taxicab system in its first year of service.

SECTION 1847. 85.20 (4m) (em) 3. of the statutes is amended to read:

85.20 **(4m)** (em) 3. Five times the amount of an eligible applicant's required local contribution under par. (b) 1. This subdivision does not apply after December 31, 1999.

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.

SECTION 1849. 85.20 (6) (d) of the statutes is created to read:

85.20 **(6)** (d) Accept federal aid, if directed by the department to accept that aid. This paragraph applies only to eligible applicants described in sub. (4m) (a) 7m.

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 Appendix 1612 (b) (2) 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 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 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~~ 18.561 (5) and (9) (j) or 18.562 (3) and (5) (e), 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 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) 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 and thereafter, $1,644.

SECTION 1860. 86.30 (2) (b) 1. of the statutes is amended to read:

86.30 **(2)** (b) 1. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 2. may receive an increase in its annual transportation aid payment in excess of 15% of its last previous calendar year

aid payment or a decrease in its annual transportation aid payment in excess of ~~5%~~ 2% of its last previous calendar year transportation aid payment.

SECTION 1861. 86.30 (2) (b) 1g. of the statutes is amended to read:

86.30 **(2)** (b) 1g. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 3. may receive a decrease in its annual transportation aid payment in excess of ~~5%~~ 2% of its last previous calendar year transportation aid payment.

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 and $81,106,600 in calendar year 2000 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 and $254,784,900 in calendar year 2000 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 1864. 86.302 (title) of the statutes is repealed and recreated to read:

86.302 (title) **Local roads; inventory and assessment.**

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)** Not later than December 15, 2001, and biennially thereafter, each municipality and county shall assess the physical condition of highways under its jurisdiction, using a pavement rating system approved by the department and report the results of that assessment to the department. The department shall assess the accuracy of mileage or other data concerning highways reported by municipalities and counties and may use field investigations to verify a portion of the data 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~~ under this subsection. Information collected under this subsection is inadmissible as evidence, except to show compliance with this subsection.

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~~ 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 1876. 87.30 (1) (d) of the statutes is created to read:

87.30 **(1)** (d) For an amendment to a floodplain zoning ordinance that affects an activity that meets all of the requirements under s. 281.165 (1) to (5), the department may not proceed under this subsection, or otherwise review the amendment, to determine whether the ordinance, as amended, is insufficient.

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 60% 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.

SECTION 1878. 91.01 (8) of the statutes is amended to read:

91.01 **(8)** "Local governing body having jurisdiction" means the city council, village board or town board if that body has adopted ~~a certified~~ <u>an</u> ordinance under subch. V <u>that is certified under s. 91.06, 1997 stats.</u>; or the county board where such a city, village or town zoning ordinance is not in effect.

SECTION 1879. 91.04 of the statutes is created to read:

91.04 Acquisition of development rights agreements. The department shall maintain a list of nonprofit entities with which the department has entered into agreements under s. 71.605 (3). The department shall make the list available to owners who are interested in transferring their development rights and to the department of revenue.

SECTION 1880. 91.06 of the statutes is repealed.

SECTION 1881. 91.11 (1) (a) of the statutes is amended to read:

91.11 **(1)** (a) The county in which the land is located has ~~a certified~~ in effect an agricultural preservation plan ~~in effect~~ certified under s. 91.06, 1997 stats.; or

SECTION 1882. 91.11 (1) (b) of the statutes is amended to read:

91.11 **(1)** (b) The land is in an area zoned for exclusive agricultural use under an ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats.

SECTION 1883. 91.11 (2) of the statutes is amended to read:

91.11 **(2)** An owner of land located in a county with a population density of less than 100 persons per square mile which has adopted ~~a certified~~ an exclusive agricultural use zoning ordinance certified under s. 91.06, 1997 stats., may apply under this subchapter even if the town in which the land is located has not approved the ordinance.

SECTION 1884. 91.11 (3) of the statutes is amended to read:

91.11 **(3)** In any county with a population density of 100 or more persons per square mile, an owner may apply for a farmland preservation agreement under this subchapter only if the county in which the land is located has ~~a certified~~ an exclusive agricultural use zoning ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats., and the town in which the land is located has approved the ordinance.

SECTION 1885. 91.11 (4) of the statutes is amended to read:

91.11 **(4)** In any city, town or village that has adopted ~~a certified~~ an exclusive agricultural use zoning ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats., or in any town that has approved ~~a certified~~ an exclusive agricultural use zoning ordinance adopted by the county and certified under ~~subch. V~~ s. 91.06, 1997 stats., an owner may apply for a farmland preservation agreement only if the land is in an area zoned for exclusive agricultural use.

SECTION 1886. 91.13 (4) (a) of the statutes is amended to read:

91.13 **(4)** (a) Whether the farmland is designated an agricultural preservation area in ~~a certified~~ an agricultural preservation plan ~~established~~ certified under ~~subch. IV~~ s. 91.06, 1997 stats., or is an area zoned for exclusive agricultural use under an ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats.

SECTION 1887. 91.13 (8) (d) of the statutes is repealed.

SECTION 1888. 91.14 of the statutes is amended to read:

91.14 Transition area agreements. An owner may apply for a transition area agreement under this subchapter if the farmland is located in an area identified as a transition area under a ~~certified~~ county agricultural preservation plan certified under ~~subch. IV~~ s. 91.06, 1997 stats. The provisions of this subchapter, except ss. 91.11 (1) (b) and (4), 91.13 (4) (a) and (10) and 91.15, apply to agreements under this section. Agreements under this section shall be for not less than 5 nor more than 20 years, consistent with the county agricultural preservation plan.

SECTION 1889. 91.19 (2) (c) 1. e. of the statutes is amended to read:

91.19 **(2)** (c) 1. e. The proposed development or use is consistent with the county's ~~certified~~ agricultural preservation plan certified under s. 91.06, 1997 stats., if a plan is in effect.

SECTION 1890. 91.19 (6t) of the statutes is amended to read:

91.19 **(6t)** ~~The~~ After the effective date of this subsection .... [revisor inserts date], the department shall relinquish land from a farmland preservation agreement ~~land that has been subject to a farmland preservation agreement for at least 10 years~~ if the owner of the land so requests.

SECTION 1891. 91.19 (7) of the statutes is amended to read:

91.19 **(7)** Whenever a farmland preservation agreement is relinquished under sub. (2) or (6t) or all or part of the land is released from a farmland preservation agreement under sub. (2) or (6p) or a transition area agreement is relinquished under sub. (2) or, subject to subs. (12) and (13), a transition area agreement is relinquished under sub. (1) or (1m), the department shall cause to be prepared and recorded a lien against the property formerly subject to the agreement for the total amount of all credits received by all owners of such lands under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60 during the last 10 years that the land was eligible for such credit, plus interest at the rate of 9.3% per year compounded annually on the credits received from the time the credits were received until the lien is paid for farmland preservation agreements relinquished under sub. (6t) and 6% per year compounded annually on the credits received from the time the credits were received until the lien is paid for other agreements. No interest shall be compounded for any period during which the farmland is subject to a subsequent farmland preservation agreement or transition area agreement or is zoned for exclusive agricultural use under an ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats.

SECTION 1892. 91.19 (8) of the statutes is amended to read:

91.19 **(8)** Subject to subs. (12) and (13), upon the relinquishment of a farmland preservation agreement under sub. (1) or (1m), the department shall cause to be prepared and recorded a lien against the property formerly subject to the farmland

preservation agreement for the total amount of the credits received by all owners thereof under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60 during the last 10 years that the land was eligible for such credit, plus 6% interest per year compounded from the time of relinquishment. No interest shall be compounded for any period during which the farmland is subject to a subsequent farmland preservation agreement or transition area agreement or is zoned for exclusive agricultural use under an ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats.

SECTION 1893. 91.19 (10) of the statutes is amended to read:

91.19 **(10)** The lien may be paid and discharged at any time and shall become payable to the state by the owner of record at the time the land or any portion of it is sold by the owner of record to any person except the owner's child or if the land is converted to a use prohibited by the former farmland preservation agreement. Upon reentry in an agreement under this subchapter or upon zoning for exclusively agricultural use under an ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats., the portion of the lien on the land reentered or so zoned shall be discharged. The discharge of a lien does not affect the calculation of any subsequent lien under sub. (7) or (8). The proceeds from the payment shall be paid into the general fund.

SECTION 1894. 91.19 (12) of the statutes is amended to read:

91.19 **(12)** No lien may be filed under sub. (7) or (8), on the date of relinquishment, release or termination, for tax credits paid on lands or any portion of them which are zoned for exclusively agricultural use under an ordinance certified under ~~subch. V~~ s. 91.06, 1997 stats.

SECTION 1895. 91.19 (13) of the statutes is amended to read:

91.19 **(13)** No lien may be filed under sub. (7) or (8) for any amount of tax credits paid under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60 to any owner of farmland if, up to

the date of relinquishment under sub. (1) or (1m) of the applicable farmland preservation agreement or transition area agreement, all of the requirements under this subchapter that relate to the agreement have been satisfied by the owner.

SECTION 1896. 91.21 (3) of the statutes is amended to read:

91.21 **(3)** If the owner or a successor in title of the land upon which a farmland preservation agreement has been recorded under this chapter fails to comply with s. 91.13 (8) ~~(d) or~~ (dm), such person shall be given one year to restore compliance before the remedies of sub. (1) shall be applicable.

SECTION 1897. 91.25 of the statutes is created to read:

91.25 Phaseout of agreements. The department may not enter into, or extend, an agreement under this subchapter after the effective date of this section .... [revisor inserts date].

SECTION 1898. Subchapter III of chapter 91 [precedes 91.31] of the statutes is repealed.

SECTION 1899. Subchapter IV of chapter 91 [precedes 91.51] of the statutes is repealed.

SECTION 1900. 91.71 of the statutes is repealed.

SECTION 1901. 91.73 (2) of the statutes is repealed.

SECTION 1902. 91.75 (intro.) of the statutes is amended to read:

91.75 Ordinance standards. (intro.) A zoning ordinance shall be deemed an "exclusive agricultural use ordinance" if it includes those jurisdictional, organizational or enforcement provisions necessary for its proper administration, if the land in exclusive agricultural use districts is limited to agricultural use ~~and is identified as an agricultural preservation area under any agricultural preservation plans adopted under subch. IV~~ and if the regulations on the use of agricultural lands

in such districts meet the following standards which, except for sub. (4), are minimum standards:

SECTION 1903. 91.75 (1) of the statutes is repealed and recreated to read:

91.75 **(1)** A minimum lot size is specified.

SECTION 1904. 91.75 (6) of the statutes is amended to read:

91.75 **(6)** For purposes of farm consolidation and if permitted by local regulation, farm residences or structures which existed prior to the adoption of the ordinance may be separated from a larger farm parcel. ~~Farm residences or structures with up to 5 acres of land which are separated from a larger farm parcel under this section are not subject to the lien under s. 91.19 (8) to (10), as required in s. 91.77 (2) or 91.79.~~

SECTION 1905. 91.77 (2) of the statutes is repealed.

SECTION 1906. 91.78 of the statutes is repealed.

SECTION 1907. 91.79 of the statutes is repealed.

SECTION 1908. 91.80 (1) of the statutes is amended to read:

91.80 **(1)** ORDINANCE. Any county, city, village or town may require by separate ordinance that land for which an owner ~~receives a zoning certificate under s. 71.59 (1) (b)~~ applies for a farmland preservation credit under ss. 71.59 and 71.60 be farmed in compliance with reasonable soil and water conservation standards established by the county land conservation committee.

SECTION 1909. 92.04 (2) (b) of the statutes is amended to read:

92.04 **(2)** (b) *Review and approve land and water resource management plans.* The board shall review and approve or disapprove land and water resource management plans prepared under s. 92.10 ~~and make recommendations to the department on approval or disapproval of those plans~~.

SECTION 1910. 92.08 (1) of the statutes is amended to read:

92.08 **(1)** Every land conservation committee shall prepare annually for its county a plan which describes the soil and water resource activities to be undertaken by that county and the dollar amounts required for personnel to administer and implement activities in that county related to soil conservation activities required under ~~ss. 92.104 and~~ s. 92.105 to claim a farmland preservation credit under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60, activities required under s. 92.17 related to shoreland management or activities required under s. 281.65 (8m) related to the development or implementation of animal waste or construction site erosion ordinances. The land conservation committee shall submit that plan to the county board of that county and to the department.

SECTION 1911. 92.10 (4) (d) of the statutes is amended to read:

92.10 **(4)** (d) *Plan review.* The department, in consultation with the department of natural resources, shall review ~~and approve or disapprove~~ land and water resource management plans submitted by the land conservation committees, summarize the plans and make recommendations to the board on approval or disapproval of the plans. The department may require land conservation committees to indicate specific projects to be funded under each plan and the related cost–sharing rates.

SECTION 1912. 92.10 (5) (a) of the statutes is amended to read:

92.10 **(5)** (a) *Plan review.* The board shall review and approve or disapprove land and water resource management plans submitted by the land conservation committees ~~and make recommendations to the department~~.

SECTION 1913. 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. Assesses water quality and soil erosion conditions throughout the county.

2. Specifies water quality and soil erosion control goals and identifies the areas that may not be meeting those goals.

3. 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.

4. 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 goals specified under subd. 2. and to ensure compliance with the standards and prohibitions identified under subd. 3.

5. Describes a system to monitor the progress of activities described in the plan.

6. Includes a strategy to provide information and education related to soil and water resource management.

7. Describes methods for coordinating activities described in the plan with programs of other local, state and federal agencies.

SECTION 1914. 92.104 of the statutes is repealed.

SECTION 1915. 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~~ Beginning on January 1, 2001, the standards shall be consistent with the tolerable erosion level established under s. 92.04 (2) (i) and with nutrient management rules promulgated under s. 92.05 (3) (k). A land conservation committee shall submit these standards to the board for review.

SECTION 1916. 92.105 (2) of the statutes is amended to read:

92.105 **(2)** GUIDELINES; REVIEW. The board shall develop guidelines to be used for the establishment and administration of soil and water conservation standards. The board shall review and shall approve or disapprove submitted soil and water conservation standards based on the guidelines it develops. If the board approves soil and water conservation standards, it shall notify ~~any appropriate zoning authority~~ the land conservation committee of its approval.

SECTION 1917. 92.105 (3) of the statutes is amended to read:

92.105 **(3)** APPROVED STANDARDS REQUIRED FOR FARMLAND PRESERVATION CREDIT. A farmland preservation credit may not be allowed under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60 for claims relating to any land to which this section applies unless the land conservation committee for the county where the property is located establishes soil and water conservation standards which are approved by the board.

SECTION 1918. 92.105 (5) of the statutes is amended to read:

92.105 **(5)** NONCOMPLIANCE. If the land conservation committee determines that farming operations on land to which this section applies do not comply with soil and water conservation standards, it shall issue a notice of noncompliance to the farmer and send a copy of the notice to ~~any appropriate zoning authority. If no~~

~~appropriate zoning authority exists, it shall send a copy to~~ the department of revenue. This notice of noncompliance remains in effect until canceled. If actions are taken to comply with the soil and water conservation standards in a manner satisfactory to the land conservation committee, it shall cancel the notice of noncompliance by notifying the farmer and by sending a copy of the cancellation to ~~any appropriate zoning authority. If no appropriate zoning authority exists or if the original notice was sent to the department of revenue, it shall send a copy of the cancellation to~~ the department of revenue.

SECTION 1919. 92.105 (6) of the statutes is amended to read:

92.105 **(6)** ELIGIBILITY FOR FARMLAND PRESERVATION CREDIT. A farmland preservation credit may not be allowed under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60 if a notice of noncompliance is in effect with respect to a claimant to which this section applies at the time the claim is filed.

SECTION 1920. 92.105 (7) (a) (title) of the statutes is repealed.

SECTION 1921. 92.105 (7) (a) of the statutes is renumbered 92.105 (7) and amended to read:

92.105 **(7)** APPLICABILITY. This section and soil and water conservation standards established under this section apply only to a person claiming a farmland preservation credit under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60, land related to that claim and farming operations on that land ~~and apply only as provided under pars. (b) to (d)~~.

SECTION 1922. 92.105 (7) (b) to (d) of the statutes are repealed.

SECTION 1923. 92.14 (2) (e) of the statutes is amended to read:

92.14 **(2)** (e) Promoting compliance with the requirements under ~~ss. 92.104 and~~ s. 92.105 by persons claiming a farmland preservation credit under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60.

SECTION 1924. 92.14 (3) (a) of the statutes is amended to read:

92.14 **(3)** (a) Compliance with requirements under ~~ss. 92.104 and~~ s. 92.105 by persons claiming a farmland preservation credit under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60.

SECTION 1925. 92.14 (4) (b) of the statutes is amended to read:

92.14 **(4)** (b) Implementing land and water resource management projects undertaken to comply with the requirements under ~~ss. 92.104 and~~ s. 92.105 by persons claiming a farmland preservation credit under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60.

SECTION 1926. 92.14 (6) (c) 1. of the statutes is amended to read:

92.14 **(6)** (c) 1. Cost–effectiveness of an activity, including but not limited to technical assistance, educational assistance, management practices, and satisfying the requirements under ~~ss. 92.104 and~~ s. 92.105 for claiming farmland preservation credits under ~~subch. IX of ch. 71~~ ss. 71.59 and 71.60.

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) Charge 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 1931. 93.12 (9) of the statutes is amended to read:

93.12 **(9)** The department shall recognize the accreditation, certification or registration of a laboratory by the department of natural resources under s. 299.11 and shall accept the results of any test conducted by a laboratory accredited, certified or registered to conduct that category of test under that section.

SECTION 1932. 93.135 (1) (b) of the statutes is amended to read:

93.135 **(1)** (b) A license under s. 94.10 (2) or (3) ~~or (4)~~.

SECTION 1933. 93.60 of the statutes is repealed.

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:

(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. "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, who sells, offers for sale or distributes nursery stock from a location in this state.

(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, including rooted Christmas trees, but excluding seeds, sod, cranberry cuttings and annuals.

(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).

3. A source outside this state that the department recognizes under sub. (10) as an officially inspected source.

(i) "Rooted Christmas tree" means an evergreen tree that is rooted in the soil and grown for eventual harvest and sale as a Christmas tree.

(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 pursuant to a valid permit under par. (g).

(g) *Temporary permit; sales benefiting nonprofit organization.* The department may issue a temporary permit authorizing the permit holder to sell nursery stock, for the benefit of a nonprofit organization, for a period of not more than 7 consecutive days. An applicant for a temporary permit shall apply on a form provided by the department and shall pay a fee of $5. The department may impose written conditions

on the temporary permit and may summarily suspend or revoke the permit if the permit holder violates those conditions.

(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 or holds nursery stock for sale.

3. The license fee required under par. (c) or (cm).

4. The surcharge required under (d), if any.

5. Other information reasonably required by the department for licensing purposes.

(c) *License fee; general.* Except as provided in par. (cm), 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, $40.

2. If the nursery grower annually sells more than $5,000 but not more than $20,000 worth of nursery stock, $75.

3. If the nursery grower annually sells more than $20,000 but not more than $100,000 worth of nursery stock, $125.

4. If the nursery grower annually sells more than $100,000 but not more than $200,000 worth of nursery stock, $200.

5. If the nursery grower annually sells more than $200,000 but not more than $500,000 worth of nursery stock, $350.

6. If the nursery grower annually sells more than $500,000 but not more than $2,000,000 worth of nursery stock, $600.

7. If the nursery grower annually sells more than $2,000,000 worth of nursery stock, $1,200.

(cm) *License fee; Christmas tree growers.* A Christmas tree grower shall pay the following annual license fee, based on annual sales calculated according to par. (e):

1. If the Christmas tree grower annually sells no more than $5,000 worth of Christmas trees, $20.

2. If the Christmas tree grower annually sells more than $5,000 but not more than $20,000 worth of Christmas trees, $55.

3. If the Christmas tree grower annually sells more than $20,000 but not more than $100,000 worth of Christmas trees, $90.

4. If the Christmas tree grower annually sells more than $100,000 but not more than $200,000 worth of Christmas trees, $150.

5. If the Christmas tree grower annually sells more than $200,000 but not more than $500,000 worth of Christmas trees, $250.

6. If the Christmas tree grower annually sells more than $500,000 but not more than $2,000,000 worth of Christmas trees, $450.

7. If the Christmas tree grower annually sells more than $2,000,000 worth of Christmas trees, $900.

(d) *Surcharge for operating without a license.* In addition to the fee required under par. (c) or (cm), 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) or (cm) for a license year shall be based on the applicant's sales of 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.

(f) *Exemptions.* Paragraph (a) does not apply to any of the following:

1. A nursery grower whose only sales of nursery stock are retail sales totaling less than $250 annually.

2. A person growing nursery stock for sale pursuant to a valid temporary permit under par. (g).

(g) *Temporary permit; sales benefiting nonprofit organization.* The department may issue a temporary permit authorizing the permit holder to sell nursery stock, for the benefit of a nonprofit organization, for a period of not more than 7 consecutive days. An applicant for a temporary permit shall apply on a form provided by the department and shall pay a fee of $5. The department may impose written conditions

on the temporary permit and may summarily suspend or revoke the permit if the permit holder violates those conditions.

(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 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 or hold 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 dealer.* No person may sell or distribute any shipment of nursery stock to a nursery dealer, and no nursery dealer may accept a shipment of nursery stock, 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 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.

(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 (2). 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. <u>All moneys collected under this subsection shall be credited to the appropriation account under s. 20.115 (7) (ga).</u>

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 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 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 1947. 97.30 (1) (bm) of the statutes is repealed and recreated to read:

97.30 **(1)** (bm) Except as provided by the department by rule, "potentially hazardous food" means a food that requires temperature control because it is in a form capable of supporting any of the following:

1. Rapid and progressive growth of infectious or toxicogenic microorganisms.

2. Growth and toxin production of Clostridium botulinum.

3. In raw shell eggs, growth of Salmonella enteritidis.

SECTION 1948. 97.34 (2) (c) of the statutes is amended to read:

97.34 **(2)** (c) The department may require testing of bottled drinking water for substances subject to any standard under par. (b) and for any other substance if the department determines that the water system used as the source of the bottled drinking water has a potential of being contaminated, based on contamination of other water systems or groundwater in the vicinity. The department shall adopt by rule requirements for periodic sampling and analysis for the purposes of this subsection. The department shall require all analyses to be conducted by a laboratory accredited or certified under s. 299.11.

SECTION 1949. 97.42 (4) (intro.) of the statutes is amended to read:

97.42 **(4)** RULES. (intro.) The department ~~shall~~ may issue reasonable rules requiring or prescribing any of the following:

SECTION 1950. 97.42 (4m) of the statutes is created to read:

97.42 **(4m)** FEDERAL REQUIREMENTS. Except as provided in rules promulgated under sub. (4), the operator of an establishment that is required to be licensed under this section shall comply with 9 CFR parts 307 to 311, 313 to 315, 416 and 417 and

part 381 subparts G, H, I, J, K, L, O and P as they apply to federally licensed establishments.

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. 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~~ The municipality shall keep a complete record of its work and annually shall file a report thereof with the department. ~~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~~. 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)** If a municipality is required to establish a department of weights and measures under sub. (1), the municipality may contract with the department to enforce the provisions of this chapter within the municipality's jurisdiction instead of establishing its own department. The department 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 1954. 98.245 (7) (title) and (a) of the statutes are repealed and recreated to read:

98.245 **(7)** (title) METERS; LICENSING; FEES; TESTING. (a) In this subsection, "meter servicer" means a person licensed under s. 98.18 to inspect and test meters that are used to measure liquefied petroleum gas that is sold or delivered in a liquid form and by liquid measure.

SECTION 1955. 98.245 (7) (ag) and (ar) of the statutes are created to read:

98.245 **(7)** (ag) *License required.* Beginning on the effective date of this paragraph .... [revisor inserts date], no person may operate a meter to measure liquefied petroleum gas that is for sale or delivery in liquid form and by liquid measure unless the person holds an annual license issued by the department for the meter. A separate license is required for each meter. A license is not transferable between persons or meters. A license expires on July 31 of each year.

(ar) *License application; fees.* 1. An applicant for the license required under par. (ag) shall apply on a form provided by the department. The license application shall be accompanied by the applicable fees under subds. 2. and 3.

2. Unless the department establishes a different fee by rule, the fee for an annual license required under par. (ag) is $25 for each meter.

3. In addition to the license fee under subd. 2., an applicant shall pay a license fee surcharge of $200 for a meter if the department determines that within one year before making the application the applicant operated the meter in violation of par. (ag). Payment of this surcharge does not relieve the applicant of any other civil or criminal liability that the applicant may incur because of the violation of par. (ag), but does not constitute evidence of a violation of a law.

SECTION 1956. 98.245 (7) (b) 1. of the statutes is repealed and recreated to read:

98.245 **(7)** (b) 1. A person who is required to hold a license under par. (ag) for a meter shall have that meter inspected and tested annually by a meter servicer. The meter servicer shall inspect and test the meter for accuracy according to the standards, specifications, tolerances and procedures that the department establishes by rule.

SECTION 1957. 98.245 (7) (b) 2. of the statutes is amended to read:

98.245 **(7)** (b) 2. ~~A~~ Within 15 days after a meter servicer inspects and tests a meter under subd. 1., the meter ~~servicing company~~ servicer shall ~~file with~~ report the results to the department ~~a report, for each meter, containing the results of the testing under subd. 1. within 30 days after completing the testing~~ in writing. If the meter servicer fails to file the report within the 15 days, the department may assess the meter servicer a fee of up to $100 and may suspend or revoke the meter servicer's license issued under s. 98.18.

SECTION 1958. 98.245 (7) (b) 3. and 4. of the statutes are consolidated, renumbered 98.245 (7) (b) 3m. and amended to read:

98.245 **(7)** (b) 3m. If the department determines that a meter has not been inspected and tested under subd. 1. within the last year, the department shall ~~notify the owner. The owner shall have 30 days after being notified to have the meter tested. 4.~~ issue a written notice to the operator of the meter. Within 30 days after the operator received the notice, the operator shall have the meter inspected and tested as required under subd. 1. If the ~~owner~~ operator fails to ~~have the owner's meter tested as required under subd. 3.~~ do so, the department may assess the ~~owner~~ operator a fee of ~~not more than~~ up to $100 for that meter and may suspend or revoke the operator's license issued under par. (ag) for that meter.

SECTION 1959. 98.245 (7) (b) 5. of the statutes is repealed.

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) 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 treasure shall then make payment to the state treasurer under s. 59.25 (3) (f) 2. The state treasure shall deposit the assessment amounts in the general fund, and the amounts shall be credited to appropriation account under s. 20.115 (1) (jb).

SECTION 1961. 100.37 (2) (e) 2. e. of the statutes is created to read:

100.37 **(2)** (e) 2. e. Any fever thermometer containing elemental mercury.

SECTION 1962. 100.48 (1) (a) of the statutes is renumbered 100.48 (1) (am).

SECTION 1963. 100.48 (1) (ad) of the statutes is created to read:

100.48 **(1)** (ad) "All–terrain vehicle" has the meaning given in s. 340.01 (2g).

SECTION 1964. 100.48 (1) (ag) of the statutes is created to read:

100.48 **(1)** (ag) "Boat" has the meaning given in s. 30.50 (2).

SECTION 1965. 100.48 (1) (b) of the statutes is amended to read:

100.48 **(1)** (b) "Hour meter" means an instrument ~~on a piece of farm equipment~~ that measures and records the actual hours of operation of the ~~piece of farm equipment~~ vehicle or device to which the instrument is attached.

SECTION 1966. 100.48 (1) (c) of the statutes is created to read:

100.48 **(1)** (c) "Snowmobile" has the meaning given in s. 350.01 (12).

SECTION 1967. 100.48 (2) of the statutes is amended to read:

100.48 **(2)** No person may, either personally or through an agent, remove, replace, disconnect, reset, tamper with, alter, or fail to connect, an hour meter attached to farm equipment, a snowmobile, an all–terrain vehicle or a boat with the

intent to defraud by changing or affecting the number of hours of operation indicated on the hour meter.

SECTION 1968. 100.48 (3) (a) of the statutes is amended to read:

100.48 **(3)** (a) Nothing in this section shall prevent the service, repair or replacement of an hour meter if the number of hours of operation indicated on the hour meter remains the same as before the service, repair or replacement. If an hour meter attached to farm equipment, a snowmobile, an all–terrain vehicle or a boat is incapable of registering the same number of hours of operation as before its service, repair or replacement, the hour meter shall be adjusted to read zero, and a sticker shall be affixed by the owner of the ~~piece of farm equipment~~ vehicle or device to which the hour meter is attached or an agent, in proximity to the hour meter, specifying the number of hours of operation recorded on the hour meter prior to its service, repair or replacement and the date on which it was serviced, repaired or replaced. No person who services, repairs or replaces an hour meter attached to farm equipment, a snowmobile, an all–terrain vehicle or a boat that is incapable of registering the same number of hours of operation as before such service, repair or replacement may fail to adjust the hour meter to read zero or fail to affix the sticker required by this paragraph.

SECTION 1969. 100.48 (4) (a) of the statutes is amended to read:

100.48 **(4)** (a) Any person who violates sub. (2) or (3) (b) with respect to an hour meter attached to farm equipment may be fined not more than $5,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

SECTION 1970. 100.48 (4) (b) of the statutes is amended to read:

100.48 **(4)** (b) Any person who violates sub. (3) (a) with respect to an hour meter attached to farm equipment may be required to forfeit not more than $500 for each violation.

SECTION 1971. 100.48 (4) (c) of the statutes is created to read:

100.48 **(4)** (c) Any person who violates sub. (2) or (3) with respect to an hour meter attached to a snowmobile, an all–terrain vehicle or boat may be fined not more than $5,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

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 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 1977. 101.09 (3) (b) of the statutes is repealed.

SECTION 1978. 101.123 (1) (b) of the statutes is amended to read:

101.123 **(1)** (b) "Inpatient health care facility" means a county home established under s. 49.70, a county infirmary established under s. 49.72~~,~~ or a community–based residential facility or a nursing home licensed under s. 50.03 ~~or a tuberculosis sanatorium established under s. 58.06, 252.073 or 252.076~~.

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 1980. 101.143 (2) (h) of the statutes is created to read:

101.143 **(2)** (h) The department may promulgate a rule specifying information and audit requirements to implement sub. (4) (c) 8.

SECTION 1981. 101.143 (2) (i) of the statutes is created to read:

101.143 **(2)** (i) 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 in 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 1982. 101.143 (2e) of the statutes is created to read:

101.143 **(2e)** AWARD PRIORITIES. (a) The department may promulgate rules for assigning an award priority to each occurrence that the department determines may result in an award under sub. (4), except for occurrences resulting from discharges from home oil tank systems, petroleum product storage systems that are described in sub. (4) (ei) 1. and petroleum product storage systems that are owned by school districts and that are used for storing heating oil for consumptive use on the premises where stored. If the department promulgates rules under this paragraph, it shall base the award priorities on environmental factors and any other factors that the department considers appropriate. The rules may only apply to occurrences for which remedial action plans are approved under sub. (3) (cs) after the effective date of the rules.

(b) If the department promulgates rules under par. (a), the department shall pay awards under sub. (4) for occurrences to which the rules apply in order of the award priorities under those rules.

(c) If the department promulgates rules under par. (a), the department shall notify an owner or operator of a petroleum product storage system to which the rules apply of the date on which the department determines that it is appropriate to begin activities under sub. (3) (c) 3. or (g) with respect to a discharge from that system, based on the department's estimate of when funds will be available to pay an award to the owner or operator under the award priorities. Notwithstanding s. 292.11 (3) and (7) (c), an owner or operator to whom rules under par. (a) apply is not required to begin activities under sub. (3) (c) 3. or (g) until the date on which the department determines it is appropriate to begin those activities. If an owner or operator begins activities under sub. (3) (c) 3. or (g) before the date when the department determines it is appropriate to begin those activities, the department may deny the payment of

interest costs to the owner or operator, as provided in the rules promulgated by the department.

SECTION 1983. 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 for approval.</u>

SECTION 1984. 101.143 (3) (cs) of the statutes is created to read:

101.143 **(3)** (cs) *Review of remedial action plans.* The department shall review and approve or disapprove remedial action plans submitted under par. (c) 2.

SECTION 1985. 101.143 (3) (d) of the statutes is amended to read:

101.143 **(3)** (d) *Review of ~~site investigations, remedial action plans and~~ 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 1986. 101.143 (4) (c) 8. of the statutes is amended to read:

101.143 **(4)** (c) 8. ~~Interest~~ <u>Any interest</u> costs incurred by an applicant <u>with gross revenues that exceed $20,000,000 in the most recent tax year before the applicant submits a claim. For any other applicant, interest costs</u> that exceed interest at ~~1% over the prime rate, as determined under rules promulgated by the department~~ <u>5%</u>.

SECTION 1987. 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 1988. 101.143 (4) (d) 2. a. of the statutes is amended to read:

101.143 **(4)** (d) 2. a. 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, $1,000,000, except that, if the site is classified as medium priority or low priority under s. 101.144 (3g) (a), an award issued under this paragraph may not exceed $100,000 for each occurrence.

SECTION 1989. 101.143 (4) (d) 2. b. of the statutes is amended to read:

101.143 **(4)** (d) 2. b. For an owner or operator other than an owner or operator under subd. 2. a., c. or d., $500,000, except that, if the site is classified as medium priority or low priority under s. 101.144 (3g) (a), an award issued under this paragraph may not exceed $100,000 for each occurrence.

SECTION 1990. 101.143 (4) (d) 2. d. of the statutes is amended to read:

101.143 **(4)** (d) 2. d. For a school district or a technical college district with respect to a discharge from a petroleum product storage system that is used for

storing heating oil for consumptive use on the premises where stored, $190,000, except that, if the site is classified as medium priority or low priority under s. 101.144 (3g) (a), an award issued under this paragraph may not exceed $100,000 for each occurrence.

SECTION 1991. 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, $10,000, plus $2,500 if the eligible costs exceed $50,000, plus $2,500 if the eligible costs exceed $80,000, plus $10,000 for each whole $100,000 by which eligible costs exceed $150,000.

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 an owner or operator other than an owner or operator described in subd. 1. or 2., $2,500, plus 5% of eligible costs, but not more than $7,500.

SECTION 1992. 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 tanks otherwise subject to par. (dg) 1. for whom the deductible is the amount under par. (dg) 3. rather than the amount under par. (dg) 1.

SECTION 1993. 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%~~ 15% of the amount by which eligible costs exceed $200,000.

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 $450,000,000 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.

(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 1995. 101.143 (12) of the statutes is created to read:

101.143 **(12)** REPORT. No later than each January 1 and July 1, the department of commerce and the department of natural resources shall submit to the governor and to the appropriate standing committees of the legislature, under s. 13.172 (3),

a report concerning petroleum product storage systems and home oil tank systems from which discharges have occurred for which remedial action activities are being conducted. The departments shall provide all of the following information for each petroleum product storage system and home oil tank system:

(a) The date on which the record of the site investigation was received.

(b) The environmental risk factors, as defined by the department of commerce by rule, identified at the site.

(c) The year in which the approval under sub. (3) (c) 4. is expected to be issued.

SECTION 1996. 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 in rules promulgated under sub. ~~(3m) (a) 3.~~ (3g) (a), as medium priority or low priority, based on the threat that the discharge poses to public health, safety and welfare and to the environment, subject to sub. (3g) (b).

SECTION 1997. 101.144 (3g) of the statutes is created to read:

101.144 **(3g)** (a) The department of commerce and the department of natural resources, shall attempt to reach an agreement that is consistent with par. (b) and that specifies procedures and standards for determining whether the site of a discharge of a petroleum product from a petroleum storage tank is classified as high priority, medium priority or low priority. 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 par. (b). 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) The department of commerce may not provide, in the rules under par. (a), that all sites at which an enforcement standard, as defined in s. 160.01 (2), is exceeded are classified as high priority. The department shall design the rules under par. (a) to classify no more than 50% of sites as high priority. If 6 months after the rules under par. (a) are in effect more than 50% of sites are classified as high priority, the department shall revise the rules.

SECTION 1998. 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 or low priority.

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 2001. 102.26 (2m) of the statutes is repealed.

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 2004. 102.42 (6) of the statutes is amended to read:

102.42 **(6)** TREATMENT REJECTED BY EMPLOYE. Unless the employe shall have elected Christian Science treatment in lieu of medical, surgical, dental~~,~~ or hospital ~~or sanatorium~~ treatment, no compensation shall be payable for the death or disability of an employe, if the death be caused, or insofar as the disability may be aggravated, caused or continued by an unreasonable refusal or neglect to submit to or follow any competent and reasonable medical, surgical or dental treatment or, in the case of tuberculosis, by refusal or neglect to submit to or follow hospital ~~or sanatorium~~ or medical treatment when found by the department to be necessary. The right to compensation accruing during a period of refusal or neglect to submit to or follow hospital ~~or sanatorium~~ or medical treatment when found by the department to be necessary in the case of tuberculosis shall be barred, irrespective of whether disability was aggravated, caused or continued thereby.

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 2006. 106.115 (1) (b) of the statutes is repealed.

SECTION 2007. 106.115 (1) (f) of the statutes is repealed.

SECTION 2008. 106.115 (1) (g) of the statutes is repealed.

SECTION 2009. 106.115 (1) (i) of the statutes is amended to read:

106.115 **(1)** (i) The national and community service corps under 42 USC 12501 to 12682 and s. ~~16.22~~ 46.78.

SECTION 2010. 106.115 (2) (e) of the statutes is repealed.

SECTION 2011. 106.115 (2) (em) 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, technical college study grant 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~~,~~ or 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 ss. 106.13 and 106.14, "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 technical college study grant 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), a technical college study grant program as described in sub. (4g) and, for youths who are eligible to receive temporary assistance for needy families under 42 USC 601 to 619, a work–based learning program.

SECTION 2018. 106.13 (2) of the statutes is amended to read:

106.13 **(2)** The governor's council on workforce excellence, 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, the technical college study grant program and the work–based learning program under sub. (1).

SECTION 2019. 106.13 (2m) of the statutes is renumbered 106.13 (2m) (a) and amended to read:

106.13 **(2m)** (a) ~~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, shall approve the curricula developed under par. (b) for youth apprenticeship programs for those approved occupations and shall approve statewide skill standards for the school–to–work program.

(b) From the appropriation under s. ~~20.445 (1) (ev)~~ 20.292 (1) (m), the ~~department shall~~ technical college system board shall expend not more than $125,000 in each fiscal year to develop curricula for youth apprenticeship programs for occupations approved under ~~this subsection~~ par. (a). In developing that curricula, the technical college system board shall consult with the governor's work–based learning board.

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 2023. 106.13 (4g) of the statutes is created to read:

106.13 **(4g)** (a) From the appropriation under s. 20.445 (7) (c), the board may award study grants to high school graduates who meet or exceed a grade point average determined by the board and who enroll full–time in a technical college district school under ch. 38 within one year after graduation from high school.

(b) The board shall establish requirements, including a minimum grade point average requirement, that a student must meet to be eligible to receive a study grant under par. (a). Notwithstanding sub. (5), those requirements need not be promulgated as rules.

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 2025. 106.14 (1) of the statutes, as affected by 1997 Wisconsin Act 27, section 2679, is amended to read:

106.14 **(1)** ~~The department~~ From the appropriation under s. 20.445 (7) (g), the board may award grants to nonprofit corporations and public agencies for the provision of career counseling centers throughout the state.

SECTION 2026. 106.14 (3) of the statutes is amended to read:

106.14 **(3)** Any nonprofit corporation or public agency may apply for a grant to operate a career counseling center under this section. The ~~department~~ board shall review the applications submitted under this subsection according to procedures and criteria established by the ~~department~~ board.

SECTION 2027. 106.14 (4) of the statutes is amended to read:

106.14 **(4)** Amounts awarded under sub. (3) may be paid in instalments and shall range from 25% to 75% of the total cost of operating the career counseling center, except that after 3 years of receiving grant funds under this section a grant recipient may receive no more than 50% of the total cost of operating the career counseling center. The ~~department~~ board shall require the grant recipient to provide the remaining percentage share of the total project cost.

SECTION 2028. 106.18 of the statutes is repealed.

SECTION 2029. 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~~ $2,800 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 2030. 108.20 (2m) of the statutes, as affected by 1997 Wisconsin Act 39, section 146, is amended to read:

108.20 **(2m)** From the moneys not appropriated under s. 20.445 (1) (ge), (gf) and (gg) which are received by the administrative account as interest and penalties under this chapter, the department shall pay the benefits chargeable to the administrative account under s. 108.07 (5) and the interest payable to employers under s. 108.17 (3m) and may pay interest due on advances to the unemployment reserve fund from the federal unemployment account under title XII of the social security act, 42 USC 1321 to 1324, may make payments to satisfy a federal audit exception concerning a payment from the fund or any federal aid disallowance involving the unemployment insurance program, or may make payments to the fund if such action is necessary to obtain a lower interest rate or deferral of interest payments on advances from the federal unemployment account under title XII of the social security act or may transfer moneys from the appropriation account under s.

20.445 (1) (gd) to the appropriation under s. 20.445 (7) (k) for the payment of career counseling center grants under s. 106.14, except that any interest earned pending disbursement of federal employment security grants under s. 20.445 (1) (n) shall be credited to the general fund. Any moneys reverting to the administrative account from the appropriations under s. 20.445 (1) (ge) and (gf) shall be utilized as provided in this subsection.

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 400 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 2033. 111.09 (2m) of the statutes is created to read:

111.09 **(2m)** The commission shall assess and collect a fee from any party who requests that the commission assemble a panel of individuals who are not members or employes of the commission to act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s.

111.10. Any fee assessed and collected under this subsection shall be in addition to any fee assessed and collected under sub. (2). The commission shall promulgate rules establishing a schedule of fees to be paid under this subsection. Fees required to be paid under this subsection shall be paid at the time of filing the request and any such request may not be considered filed until the date that the fee is paid. Fees collected under this subsection shall be credited to the appropriation account under s. 20.425 (1) (h).

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 2035. 111.70 (4) (m) (title), 1., 2. and 4. of the statutes are amended to read:

111.70 **(4)** (m) (title) *Prohibited subjects of bargaining; school districts*.

1. Reassignment of municipal employes ~~who perform services for a board of school directors under ch. 119~~, with or without regard to seniority, as a result of a decision of the ~~board of school directors~~ municipal employer to contract with ~~an individual or group~~ a person to operate a school as a charter school, as defined in s. 115.001 (1), or to convert a school to a charter school, or the impact of any such reassignment on the wages, hours or conditions of employment of the municipal employes who perform those services.

2. Reassignment of municipal employes ~~who perform services for a board of school directors~~, with or without regard to seniority, as a result of the decision of the

~~board~~ municipal employer to close or reopen a school under s. ~~119.18 (23)~~ 118.36, or the impact of any such reassignment on the wages, hours or conditions of employment of the municipal employes who perform those services.

4. Any decision of a ~~board of school directors~~ municipal employer to contract with a school or agency to provide educational programs under s. ~~119.235~~ 118.37, or the impact of any such decision on the wages, hours or conditions of employment of the municipal employes who perform services for the ~~board~~ municipal employer.

SECTION 2036. 111.71 (2m) of the statutes is created to read:

111.71 **(2m)** The commission shall assess and collect a fee from any party who requests that the commission assemble a panel of individuals who are not members or employes of the commission to act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s. 111.70 (4) (c) 2. or (cm) 4. Any fee assessed and collected under this subsection shall be in addition to any fee assessed and collected under sub. (2). The commission shall promulgate rules establishing a schedule of fees to be paid under this subsection. Fees required to be paid under this subsection shall be paid at the time of filing the request and any such request may not be considered filed until the date that the fee is paid. Fees collected under this subsection shall be credited to the appropriation account under s. 20.425 (1) (h).

SECTION 2037. 111.91 (2) (r) of the statutes is created to read:

111.91 **(2)** (r) The requirements related to offering point–of–service coverage under s. 609.23.

SECTION 2038. 111.94 (2m) of the statutes is created to read:

111.94 **(2m)** The commission shall assess and collect a fee from any party who requests that the commission assemble a panel of individuals who are not members

or employes of the commission to act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s. 111.86. Any fee assessed and collected under this subsection shall be in addition to any fee assessed and collected under sub. (2). The commission shall promulgate rules establishing a schedule of fees to be paid under this subsection. Fees required to be paid under this subsection shall be paid at the time of filing the request and any such request may not be considered filed until the date that the fee is paid. Fees collected under this subsection shall be credited to the appropriation account under s. 20.425 (1) (h).

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 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 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 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 under s. 20.255 (2) ~~(eh)~~ (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 2048. 115.363 of the statutes is created to read:

115.363 Smoking prevention programs. (1) The department shall award grants to school districts for smoking prevention programs in grades kindergarten to 8.

(2) The department shall award grants under this section from the appropriation under s. 20.255 (2) (c). No grant may exceed $10,000.

(3) The department shall promulgate rules to implement and administer this section.

SECTION 2049. 115.406 of the statutes is created to read:

115.406 Grant program for staff development. (1) From the appropriation under s. 20.255 (2) (fL), the state superintendent shall award grants for staff development to school districts, cooperative educational service agencies and other persons.

(2) The state superintendent shall promulgate rules to implement and administer this section, including rules concerning eligibility requirements, the amounts of the grants that may be awarded and the uses to which the grants may be put.

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 department shall award the grant under this subsection in the school year in which the person is certified under par. (a) 1.

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 2056. 115.81 (9) (c) of the statutes is amended to read:

115.81 **(9)** (c) Notwithstanding ss. 48.345, 48.363, 48.427 (3), 767.24 (3), 880.12, 880.15, 938.183, 938.34 (4), (4d), (4h), (4m) and (4n), 938.345, 938.357 (4) and 938.363, a surrogate parent has the authority to act as the child's parent in all matters relating to this subchapter.

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 as though the operator of the charter school were a local educational agency, as defined in 20 USC 1401 (15), 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 estimates it will expend during the current 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).

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 as though the operator of the charter school were a local educational agency, as defined in 20 USC 1401 (15), 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 estimates it will expend during the current school year for transportation under this subsection as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and (br).

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. Costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and (br) under ss. 115.88 (1m), (2) and (2m), 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 2066. 118.045 of the statutes is created to read:

118.045 Commencement of school term. (1) Except as provided in sub. (2), beginning in 2001, no public school may commence the school term until September 1.

(2) Subsection (1) does not prohibit a school board from doing any of the following:

(a) Holding athletic contests or practices before September 1.

(b) Scheduling in–service days or work days before September 1.

(c) Holding school year–round.

SECTION 2067. 118.125 (4) of the statutes is amended to read:

118.125 **(4)** TRANSFER OF RECORDS. Within 5 working days, a school district shall transfer to another school or school district all pupil records relating to a specific pupil if the transferring school district has received written notice from the pupil if he or she is an adult or his or her parent or guardian if the pupil is a minor that the pupil intends to enroll in the other school or school district or written notice from the other school or school district that the pupil has enrolled or from a court that the pupil has been placed in a ~~juvenile~~ secured correctional facility ~~or~~, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p). In this subsection, "school" and "school district" include any ~~juvenile~~ secured correctional facility, secured child caring institution ~~as defined in s. 938.02 (15g)~~, secured group home, adult correctional institution, mental health institute or center for the developmentally disabled, that provides an educational program for its residents instead of or in addition to that which is provided by public and private schools.

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 2069. 118.19 (3m) of the statutes is created to read:

118.19 **(3m)** The state superintendent may not renew a license issued under s. 115.28 (7) (a) unless the person seeking renewal has received instruction in educational technology, as determined by the state superintendent by rule.

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 2071. 118.30 (1) (b) of the statutes is amended to read:

118.30 **(1)** (b) ~~If the governor has issued pupil academic standards as an executive order under s. 14.23, the~~ The department shall develop a high school graduation examination that is designed to measure whether pupils meet the pupil academic standards issued by the governor as executive order no. 326, dated January 13, 1998.

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 2074. 118.30 (1g) (b) of the statutes is amended to read:

118.30 **(1g)** (b) Each school board operating high school grades and each operator of a charter school under s. 118.40 (2r) that operates high school grades shall adopt a high school graduation examination that is designed to measure whether

pupils meet the pupil academic standards adopted by the school board or operator of the charter school under par. (a). If the school board or operator of the charter school has adopted the pupil academic standards issued as ~~an~~ executive order ~~under s. 14.23~~ no. 326, dated January 13, 1998, the school board or operator of the charter school may adopt the high school graduation examination developed by the department under sub. (1) (b). If a school board or operator of a charter school develops and adopts its own high school graduation examination, it shall notify the department annually by October 1 that it intends to administer the examination in the following school year.

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 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 2078. 118.30 (1m) (d) of the statutes is renumbered 118.30 (1m) (d) 1. and amended to read:

118.30 **(1m)** (d) 1. If the school board operates high school grades, ~~beginning~~ in the 2000–01 school year administer the high school graduation examination adopted by the school board under sub. (1g) (b) to pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district. The school board shall administer the examination at least twice ~~each school year~~. The school board shall determine the high school grades in which the examination will be administered ~~each school year~~.

SECTION 2079. 118.30 (1m) (d) 2. of the statutes is created to read:

118.30 **(1m)** (d) 2. If the school board operates high school grades, beginning in the 2001–02 school year administer the high school graduation examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 11th and 12th grades. The school board shall administer the examination at least twice each school year and may administer the examination only to pupils enrolled in the 11th and 12th grades.

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 achieve a score on the examination administered under this subdivision that is sufficient for promotion under sub. (5m) (a) 1.

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 pass 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 achieve a score on the examination administered under this subdivision that is sufficient for promotion under sub. (5m) (b) 1.

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 pass the examination administered under this subdivision.

(b) Administer the 10th grade examination to all pupils enrolled in the charter school in the 10th grade.

(d) 1. If the charter school operates high school grades, in the 2000–01 school year administer the high school graduation examination adopted by the operator of the charter school under sub. (1g) (b) at least twice. The operator of the charter school

shall determine the high school grades in which the examination will be administered.

2. If the charter school operates high school grades, beginning in the 2001–02 school year, administer the high school graduation examination adopted by the operator of the charter school under sub. (1g) (b) to all pupils enrolled in the 11th and 12th grades in the charter school. The operator of the charter school shall administer the examination at least twice each school year and may administer the examination only to pupils enrolled in the 11th and 12th grades.

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 or operator of the charter school under s. 118.40 (2r) shall comply with s. 115.77 ~~(1)~~ (1m) (bg).

2. According to criteria established by the state superintendent by rule, the school board or operator of the charter school under s. 118.40 (2r) 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 2083. 118.30 (5m) of the statutes is created to read:

118.30 **(5m)** (a) Except as provided in par. (c), beginning on July 1, 2002, the operator of a charter school under s. 118.40 (2r) may not promote a 4th grade pupil to the 5th grade unless one of the following applies:

1. If the operator of the charter school does not administer its own 4th grade examination under sub. (1r) (a) 2., the pupil's score in each subject area on the examination administered under sub. (1r) (a) 1. is at the basic level or above, as determined by the state superintendent.

2. If the operator of the charter school board administers its own 4th grade examination under sub. (1r) (a) 2., the pupil achieves a passing score on that examination, as determined by the operator of the charter school.

(b) Except as provided in par. (c), beginning on July 1, 2002, the operator of a charter school under s. 118.40 (2r) may not promote an 8th grade pupil to the 9th grade unless one of the following applies:

1. If the operator of the charter school board does not administer its own 8th grade examination under sub. (1r) (am) 2., the pupil's score in each subject area on the examination administered under sub. (1r) (am) 1. is at the basic level or above, as determined by the state superintendent.

2. If the operator of the charter school administers its own 8th grade examination under sub. (1r) (am) 2., the pupil achieves a passing score on that examination, as determined by the operator of the charter school.

(c) The operator of a charter school under s. 118.40 (2r) shall develop alternative criteria for evaluating a pupil who did not take the 4th grade or the 8th grade examination that was required for promotion as a result of sub. (2) (b). The operator of the charter school may promote a pupil who did not take the examination

that was required for promotion as a result of sub. (2) (b) if the pupil satisfies the alternative criteria.

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 2085. 118.33 (1) (cm) of the statutes is amended to read:

118.33 **(1)** (cm) Except as provided in par. (e), beginning on September 1, 2002, neither a school board nor an operator of a charter school under s. 118.40 (2r) may ~~not~~ grant a high school diploma to any pupil unless the pupil has passed the high school graduation examination administered under s. 118.30 (1m) (d) or (1r) (d). A school board and an operator of a charter school under s. 118.40 (2r) shall provide a pupil with at least 4 opportunities to take the examination ~~in the high school grades~~.

SECTION 2086. 118.33 (1) (e) of the statutes is amended to read:

118.33 **(1)** (e) Each school board and operator of a charter school under s. 118.40 (2r) shall develop alternative criteria for evaluating a pupil who has been excused from the high school graduation examination under s. 118.30 (2) (b) ~~3.~~ 1. or 2. A school board may grant a high school diploma to a pupil who has been excused from the high school graduation examination under s. 118.30 (2) (b) ~~3.~~ 1. or 2. if the pupil satisfies all of the other requirements under this subsection and satisfies the ~~other~~

alternative criteria. The operator of a charter school under s. 118.40 (2r) may grant a high school diploma to a pupil who has been excused from the high school graduation examination under s. 118.30 (2) (b) 1. or 2. if the pupil satisfies the alternative criteria.

SECTION 2087. 118.38 (1) (a) 7. of the statutes is amended to read:

118.38 **(1)** (a) 7. Licensure or certification under s. 115.28 ~~(7) or~~ (7m) ~~other than the licensure of the school district administrator or business manager~~.

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 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, 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.

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~~ 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:

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 62% 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.

5. None of the schools is a school to which schools that are beneficiaries of contracts under this section are compared for the evaluation under sub. (7).

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 80% 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.

4. None of the schools is a school to which schools that are beneficiaries of contracts under this section are compared for the evaluation under sub. (7).

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 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 2108. 119.04 (1) of the statutes is amended to read:

119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, <u>118.045,</u> 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,

118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class city school district and board.

SECTION 2109. 119.18 (23) of the statutes is renumbered 118.36 and amended to read:

118.36 School closings. ~~The~~ If a school board ~~may close~~ closes any school that it determines is low in performance ~~by adopting~~, it shall adopt a resolution to that effect. If the ~~superintendent of schools~~ school district administrator recommends to the school board that a school be closed for low performance, he or she shall state the reasons for the recommendation in writing. If the school board closes ~~a~~ the school, the ~~superintendent of schools~~ school district administrator may reassign the school's staff members without regard to seniority in service and may reassign other employes of the school board to the school without regard to seniority in service. If the school board reopens the school, the ~~superintendent of schools~~ school district administrator may reassign staff members to the school without regard to seniority in service.

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 2113. 119.235 of the statutes is renumbered 118.37, and 118.37 (1), (2) (intro.), (b), (d), (e) 2. and (f), and (3) to (5), as renumbered, are amended to read:

118.37 **(1)** ~~The~~ A school board may contract with any nonsectarian private school located in the ~~city~~ school district or any nonsectarian private agency located in the ~~city~~ school district to provide educational programs to pupils enrolled in the school district ~~operating under this chapter~~. The school board shall ensure that each private school or agency under contract with the board complies with ss. 118.125 and 118.13, 20 USC 1232g, 20 USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42 USC 2000d and 42 USC 6101 to 6107, and all health and safety laws and rules that apply to public schools.

(2) (intro.) Each private school or agency under contract with the school board shall do all of the following:

(b) Participate in the school board's parent information program.

(d) Meet insurance and financial requirements established by the school board.

(e) 2. A pupil selection process that gives preference to the siblings of enrolled pupils and that gives no other preferences except those approved by the school board.

(f) Report to the school board any information requested by the school board.

(3) Any pupil enrolled in the school district ~~operating under this chapter~~ may attend, at no charge, any private school or agency with which the school board has contracted under sub. (1) if space is available in the private school or agency.

(4) The school board shall establish appropriate, quantifiable performance standards for pupils at each private school or agency with which it contracts in such areas as attendance, reading achievement, pupil retention, pupil promotion, parent surveys, credits earned and grade point average.

(5) Annually, the school board shall monitor the performance of the program under this section. The school board may use the results of standardized basic educational skills tests to do so. The school board shall include a summary of its findings in its annual report to the state superintendent ~~under s. 119.44~~.

SECTION 2114. 119.48 (4) (b) of the statutes is amended to read:

119.48 **(4)** (b) The communication shall state the purposes for which the funds from the increase in the levy rate will be used and shall request the common council to submit to the voters of the city the question of exceeding the levy rate specified in s. 65.07 (1) (f) ~~at the September election or a special election~~.

SECTION 2115. 119.48 (4) (c) of the statutes is amended to read:

119.48 **(4)** (c) Upon receipt of the communication, the common council shall cause the question of exceeding the levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city at the ~~September election or at a special election~~ next regularly scheduled spring election or general election that occurs not sooner than 45 days after receipt of the communication or at a special election held on the Tuesday after the first Monday in November in an odd–numbered year if that date occurs not sooner than 45 days after receipt of the communication. The question of exceeding the levy rate specified under s. 65.07 (1) (f) shall be submitted upon a separate ballot or in some other manner so that the vote upon exceeding the levy rate specified in s. 65.07 (1) (f) is taken separately from any other question submitted to the voters. If a majority of the electors voting on the question favors exceeding the levy rate specified under s. 65.07 (1) (f), the common council shall approve the increase in the levy rate and shall levy and collect a tax equal to the amount of money approved by the electors.

SECTION 2116. 119.49 (1) (b) of the statutes is amended to read:

119.49 **(1)** (b) The communication shall state the amount of funds needed under par. (a) and the purposes for which the funds will be used and shall request the common council to submit to the voters of the city ~~at the next election held in the city~~ the question of issuing school bonds in the amount and for the purposes stated in the communication.

SECTION 2117. 119.49 (2) of the statutes is amended to read:

119.49 **(2)** Upon receipt of the communication, the common council shall cause the question of issuing such school bonds in the stated amount and for the stated school purposes to be submitted to the voters of the city at the next ~~election held in the city~~ regularly scheduled spring election or general election that occurs not sooner than 45 days after receipt of the communication or at a special election held on the Tuesday after the first Monday in November in an odd–numbered year if that date occurs not sooner than 45 days after receipt of the communication. The question of issuing such school bonds shall be submitted upon a separate ballot or in some other manner so that the vote upon issuing such school bonds is taken separately from any other question submitted to the voters. If a majority of the electors voting on the school bond question favors issuing such school bonds, the common council shall cause the school bonds to be issued immediately or within the period permitted by law, in the amount requested by the board and in the manner other bonds are issued.

SECTION 2118. 119.71 (2) of the statutes is amended to read:

119.71 **(2)** 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.

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 2120. 119.75 (2) (a) of the statutes is amended to read:

119.75 **(2)** (a) 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.

SECTION 2121. 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~~ appropriations under s. 20.255 (2) (ec) and (kp) in each school year.

SECTION 2122. 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~~ appropriations under s. 20.255 (2) (ec) and (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 appropriations under s. 20.255 (2) (ec) or (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 2133. 121.05 (1) (a) 10. of the statutes is amended to read:

121.05 **(1)** (a) 10. Pupils attending a private school or agency under contract with the board under s. ~~119.235~~ 118.37.

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 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 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 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. 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 2139. 121.15 (3m) (a) 1. of the statutes is amended to read:

121.15 **(3m)** (a) 1. "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.

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), (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 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 2144. 121.85 (6) (b) 1. of the statutes is repealed.

SECTION 2145. 121.85 (6) (f) of the statutes is repealed.

SECTION 2146. 121.85 (6) (h) of the statutes is created to read:

121.85 **(6)** (h) *Neighborhood schools.* The school district operating under ch. 119 shall use at least 10% of the amount received under par. (a) in each school year to build or lease neighborhood schools.

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 1999–2000 school year or for any school year thereafter, the department shall calculate the number of pupils enrolled in each school year prior to the 1999–2000 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) and including adjustments made under s. 121.15 (4), except that "state aid" excludes all of the following:

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 state 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 2150. 121.905 (3) (c) of the statutes is repealed and recreated to read:

121.905 **(3)** (c) For the limit for the 1999–2000 school year or for any school year thereafter, add $208.88 to the result under par. (b).

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~~ $208.88 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. Add $208.88 to the result under subd. 1.

3. Multiply the result under subd. 2. by the average of the number of pupils enrolled in the current and the 2 preceding school years.

SECTION 2156. 121.91 (3) (a) of the statutes is amended to read:

121.91 **(3)** (a) If a school board wishes to exceed the limit under sub. (2m) otherwise applicable to the school district in any school year, it shall promptly adopt a resolution supporting inclusion in the final school district budget of an amount equal to the proposed excess revenue. The resolution shall specify whether the proposed excess revenue is for a recurring or nonrecurring purpose, or, if the proposed excess revenue is for both recurring and nonrecurring purposes, the amount of the proposed excess revenue for each purpose. Within 10 days after adopting the resolution, the school board shall notify the department of the scheduled date of the referendum and submit a copy of the resolution to the department. The school board shall call a ~~special~~ referendum for the purpose of submitting the resolution to the electors of the school district for approval or rejection~~. In lieu of a special referendum, the school board may specify that the referendum be held~~ at the next succeeding spring ~~primary or~~ election or ~~September~~

~~primary or~~ general election, if such election is to be held not earlier than ~~35~~ 45 days after the adoption of the resolution of the school board, or at a special election held on the Tuesday after the first Monday in November in an odd–numbered year if that date occurs not earlier than 45 days after the adoption of the resolution of the school board. The school district clerk shall certify the results of the referendum to the department within 10 days after the referendum is held.

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 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.~~ (e) 3., is less than the average of the number of pupils enrolled in the 3 previous school years, as calculated under sub. (2m) ~~(d)~~ (e) 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 2159. 121.92 (title) of the statutes is amended to read:

121.92 (title) **Penalty for exceeding revenue ceiling or 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~~ its ceiling under s. 121.905 or its limit 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 ceiling or 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 ceiling 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 2164. 125.04 (5) (a) 5. of the statutes is amended to read:

125.04 **(5)** (a) 5. Have successfully completed within the 2 years prior to the date of application a responsible beverage server training course at any location that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board or a comparable training course that is approved by the department or the ~~educational approval~~ higher educational aids board. This subdivision does not apply to an applicant who held, or who was an agent appointed and approved under sub. (6) of a corporation or limited liability company that held, within the past 2 years, a Class "A", "Class A" or "Class C" license or a Class "B" or "Class B" license or permit or a manager's or operator's license.

SECTION 2165. 125.17 (6) (a) (intro.) of the statutes is amended to read:

125.17 **(6)** (a) (intro.) Except as provided in par. (b), no municipal governing body may issue an operator's license unless the applicant has successfully completed a responsible beverage server training course at any location that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board or a comparable training course that is approved by the department or the ~~educational approval~~ higher educational aids board, or unless the applicant fulfills one of the following requirements:

SECTION 2166. 138.052 (5) (am) 2. a. of the statutes is amended to read:

138.052 **(5)** (am) 2. a. On January 1, 1994, and annually thereafter, the division of banking for banks, the division of savings ~~and loan~~ institutions for savings and loan associations and savings banks and the office of credit unions for credit unions shall determine the interest rate that is the average of the interest rates paid, rounded to the nearest one–hundredth of a percent, on regular passbook deposit accounts by institutions under the division's or office's jurisdiction at the close of the

last quarterly reporting period that ended at least 30 days before the determination is made.

SECTION 2167. 138.052 (5) (am) 2. b. of the statutes is amended to read:

138.052 **(5)** (am) 2. b. The office of credit unions and the division of banking shall report the rate calculated to the division of savings ~~and loan~~ institutions within 5 days after the date on which the determination is made. The division of savings ~~and loan~~ institutions shall calculate the average, rounded to the nearest one–hundredth of a percent, of the 3 rates and report that interest rate to the revisor of statutes within 5 days after the date on which the determination is made.

SECTION 2168. 138.055 (4) (a) of the statutes is amended to read:

138.055 **(4)** (a) The division of savings ~~and loan~~ institutions, if the lender is a savings and loan association or savings bank;

SECTION 2169. 138.056 (1) (a) 4. a. of the statutes is amended to read:

138.056 **(1)** (a) 4. a. The division of savings ~~and loan~~ institutions, if the lender is a savings and loan association or savings bank;

SECTION 2170. 138.12 (5) (a) of the statutes is amended to read:

138.12 **(5)** (a) The ~~commissioner~~ division may revoke or suspend the license of any insurance premium finance company if the ~~commissioner~~ division finds ~~that~~ any of the following:

1. Any license issued to such company was obtained by fraud~~,~~.

2. There was any misrepresentation in the application for the license~~,~~.

3. The holder of such license has otherwise shown himself or herself untrustworthy or incompetent to act as a premium finance company~~,~~.

4. ~~Such~~ The company has violated any provision of this section~~, or~~.

5. ~~Such~~ The company has been rebating part of the service charge as allowed and permitted herein to any insurance agent or insurance broker or any employe of an insurance agent or insurance broker or to any other person as an inducement to the financing of any insurance policy with the premium finance company.

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 2172. 139.323 (intro.) of the statutes is amended to read:

139.323 Refunds to Indian tribes. (intro.) The department shall refund ~~70%~~ 50% 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 if all of the following conditions are fulfilled:

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 2176. 139.76 (1) of the statutes is amended to read:

139.76 **(1)** An ~~occupational~~ excise 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. The tax shall be passed on to the ultimate consumer of the tobacco products. All tobacco products received in this 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 shall refund 50% 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 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.

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) on tobacco products sold on reservations to 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 2183. 145.01 (4m) of the statutes is amended to read:

145.01 **(4m)** FAILING ~~PRIVATE~~ SMALL SEWAGE SYSTEM. "Failing ~~private~~ small sewage system" has the meaning specified under s. 145.245 (4).

SECTION 2184. 145.01 (5) of the statutes is amended to read:

145.01 **(5)** GOVERNMENTAL UNIT RESPONSIBLE FOR REGULATION OF ~~PRIVATE~~ SMALL SEWAGE SYSTEMS. "Governmental unit responsible for the regulation of ~~private~~ small sewage systems" or "governmental unit", unless otherwise qualified, means the county except that in a county with a population of 500,000 or more these terms mean the city, village or town where the ~~private~~ small sewage system is located.

SECTION 2185. 145.01 (10) (b) of the statutes is amended to read:

145.01 **(10)** (b) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including ~~private~~ small sewage systems, and the alteration of any such systems, drains or waste piping.

SECTION 2186. 145.01 (12) of the statutes is repealed.

SECTION 2187. 145.01 (14m) of the statutes is created to read:

145.01 **(14m)** SMALL SEWAGE SYSTEM. "Small sewage system" means one of the following:

(a) Any holding tank that is connected to a building, drain or waste piping system.

(b) Any wastewater treatment and disposal system with a final point of discharge that is below the surface of the ground and with an estimated design flow that does not exceed the maximum design flow specified under s. 145.02 (4) (c).

SECTION 2188. 145.02 (4) (c) of the statutes is created to read:

145.02 **(4)** (c) The department, in cooperation with the department of natural resources, shall promulgate rules specifying the maximum design flow for small sewage systems with a final point of discharge that is below the surface of the ground.

SECTION 2189. 145.04 (3) of the statutes is repealed.

SECTION 2190. 145.045 (3) of the statutes is repealed.

SECTION 2191. 145.10 of the statutes is repealed and recreated to read:

145.10 Denials, suspensions and revocations. The department shall promulgate rules for the denial, suspension and revocation of master or journeyman plumber licenses, cross–connection control tester registrations and utility contractor licenses or temporary permits.

SECTION 2192. 145.135 of the statutes is repealed.

SECTION 2193. 145.19 of the statutes is repealed and recreated to read:

145.19 Sanitary permits. (1) DEFINITIONS. In this section, "sanitary permit" means a permit issued by the department or any governmental unit responsible for the regulation of private sewage systems that authorizes the installation of a private sewage system.

(2) VALIDITY. (a) No person may install a private sewage system unless the owner of the property on which the private sewage system is to be installed holds a valid sanitary permit. A sanitary permit is valid for 2 years from the date of issue, notwithstanding any change in the state plumbing code or in any private sewage system ordinance during that period, and is renewable for 2–year periods. A renewal of a sanitary permit is governed by the rules in effect at the time the renewal is sought.

(b) A holder of a sanitary permit may transfer the sanitary permit to a subsequent owner of the land, except that the subsequent owner shall obtain a new copy of the sanitary permit from the issuing agent.

(3) NOTICE. A sanitary permit shall include a notice displayed conspicuously and separately on the permit form to inform the permit holder that:

(a) The purpose of the sanitary permit is to allow installation of the private sewage system described in the permit.

(b) The approval of the sanitary permit is based on rules in force on the date of approval.

(c) The sanitary permit is valid and may be renewed for a 2–year period.

(d) Changed rules will not impair the validity of a sanitary permit, but they may impede renewal.

(e) The sanitary permit is transferable.

(4) INFORMATION ON SANITARY PERMITS; FORMS. (a) The department shall prescribe the information to be included on the sanitary permit and shall furnish sanitary permit forms to the governmental unit responsible for the regulation of private sewage systems.

(b) The applicant for a sanitary permit shall submit a completed sanitary permit application to the governmental unit responsible for the regulation of private sewage systems or the department. The governmental unit responsible for the regulation of private sewage systems or the department, whichever is appropriate, shall approve or disapprove the sanitary permit application according to the rules promulgated by the department under ss. 145.02 and 145.13.

(5) FEE. No fee for a sanitary permit may be less than $61, or the amount determined under department rule. The governing body for the governmental unit

responsible for the regulation of private sewage systems may establish a fee for a sanitary permit which is more than $61, or the amount determined under department rule.

(6) COPY OF PERMIT FORWARDED TO THE DEPARTMENT. The governmental unit responsible for the regulation of private sewage systems shall forward a copy of each valid sanitary permit and $20, or the amount determined under department rule, of the fee to the department within 90 days after the permit is issued.

(7) USE OF FEE. The governmental unit responsible for the regulation of private sewage systems shall use the portion of the fee it retains for the administration of private sewage system programs.

(8) FEE ADJUSTMENT. The department may by rule adjust the minimum permit fee under sub. (5) and the fee portion forwarded under sub. (6).

(9) GROUNDWATER FEE. In addition to the fee under sub. (5), the governmental unit responsible for the regulation of private sewage systems or the department shall collect a groundwater fee of $25 for each sanitary permit. The governmental unit shall forward this fee to the department together with the copy of the sanitary permit and the fee under sub. (6). The moneys collected under this subsection shall be credited to the environmental fund for environmental management.

SECTION 2194. 145.19 (1), (2) (a), (3) (a), (4) to (7) and (9) of the statutes, as affected by 1999 Wisconsin Act .... (this act), are amended to read:

145.19 **(1)** DEFINITIONS. In this section, "sanitary permit" means a permit issued by the department or any governmental unit responsible for the regulation of ~~private~~ small sewage systems that authorizes the installation of a ~~private~~ small sewage system.

(2) (a) No person may install a ~~private~~ small sewage system unless the owner of the property on which the ~~private~~ small sewage system is to be installed holds a valid sanitary permit. A sanitary permit is valid for 2 years from the date of issue, notwithstanding any change in the state plumbing code or in any ~~private~~ small sewage system ordinance during that period, and is renewable for 2–year periods. A renewal of a sanitary permit is governed by the rules in effect at the time the renewal is sought.

(3) (a) The purpose of the sanitary permit is to allow installation of the ~~private~~ small sewage system described in the permit.

(4) INFORMATION ON SANITARY PERMITS; FORMS. (a) The department shall prescribe the information to be included on the sanitary permit and shall furnish sanitary permit forms to the governmental unit responsible for the regulation of ~~private~~ small sewage systems.

(b) The applicant for a sanitary permit shall submit a completed sanitary permit application to the governmental unit responsible for the regulation of private small sewage systems or the department. The governmental unit responsible for the regulation of ~~private~~ small sewage systems or the department, whichever is appropriate, shall approve or disapprove the sanitary permit application according to the rules promulgated by the department under ss. 145.02 and 145.13.

(5) FEE. No fee for a sanitary permit may be less than $61, or the amount determined under department rule. The governing body for the governmental unit responsible for the regulation of ~~private~~ small sewage systems may establish a fee for a sanitary permit which is more than $61, or the amount determined under department rule.

(6) COPY OF PERMIT FORWARDED TO THE DEPARTMENT. The governmental unit responsible for the regulation of ~~private~~ small sewage systems shall forward a copy of each valid sanitary permit and $20, or the amount determined under department rule, of the fee to the department within 90 days after the permit is issued.

(7) USE OF FEE. The governmental unit responsible for the regulation of ~~private~~ small sewage systems shall use the portion of the fee it retains for the administration of ~~private~~ small sewage system programs.

(9) GROUNDWATER FEE. In addition to the fee under sub. (5), the governmental unit responsible for the regulation of ~~private~~ small sewage systems or the department shall collect a groundwater fee of $25 for each sanitary permit. The governmental unit shall forward this fee to the department together with the copy of the sanitary permit and the fee under sub. (6). The moneys collected under this subsection shall be credited to the environmental fund for environmental management.

SECTION 2195. 145.20 (title) of the statutes is amended to read:

145.20 (title) **~~Private~~ Small sewage systems.**

SECTION 2196. 145.20 (1) of the statutes is amended to read:

145.20 **(1)** ORGANIZATION AND PERSONNEL. (a) The governing body of the governmental unit responsible for the regulation of ~~private~~ small sewage systems may assign the duties of administering the ~~private~~ small sewage system program to any office, department, committee, board, commission, position or employe of that governmental unit.

(am) The governing body of the governmental unit responsible for the regulation of ~~private~~ small sewage systems may delegate the duties of administering the ~~private~~ small sewage system program to a town sanitary district or public inland

lake protection and rehabilitation district with the powers of a town sanitary district within the town sanitary district or public inland lake protection and rehabilitation district if the town sanitary district or public inland lake protection and rehabilitation district agrees to assume those duties.

(b) The governmental unit responsible for the regulation of ~~private~~ small sewage systems shall obtain the services of a certified soil tester, either as an employe or under contract, to review and verify certified soil tester reports under sub. (2).

SECTION 2197. 145.20 (1) (ar) of the statutes is created to read:

145.20 **(1)** (ar) The governmental unit responsible for the regulation of private sewage systems may, with the department's consent, delegate the administration of any of the responsibilities under sub. (2) to the department. If the department consents to the delegation, it may contract for the administration of the delegated responsibilities.

SECTION 2198. 145.20 (1) (ar) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

145.20 **(1)** (ar) The governmental unit responsible for the regulation of ~~private~~ small sewage systems may, with the department's consent, delegate the administration of any of the responsibilities under sub. (2) to the department. If the department consents to the delegation, it may contract for the administration of the delegated responsibilities.

SECTION 2199. 145.20 (2) (intro.) of the statutes is amended to read:

145.20 **(2)** GOVERNMENTAL UNIT RESPONSIBILITIES. (intro.) ~~The~~ Except as provided under sub. (1) (am) and (ar), the governmental unit responsible for the regulation of private sewage systems shall:

SECTION 2200. 145.20 (2) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

145.20 **(2)** GOVERNMENTAL UNIT RESPONSIBILITIES. (intro.) Except as provided under sub. (1) (am) and (ar), the governmental unit responsible for the regulation of ~~private~~ small sewage systems shall:

SECTION 2201. 145.20 (2) (a) of the statutes is amended to read:

145.20 **(2)** (a) Review certified soil tester reports for proposed ~~private~~ small sewage systems and verify the report at the proposed site, if necessary.

SECTION 2202. 145.20 (2) (am) of the statutes is created to read:

145.20 **(2)** (am) Retain the results of any percolation test or other test relating to the disposal of liquid domestic wastes into the soil, make the test results available to an applicant for a sanitary permit and accept the test results as the basis for a sanitary permit application, unless the soil at the test site is altered to the extent that a new soil test is necessary.

SECTION 2203. 145.20 (2) (b) of the statutes is amended to read:

145.20 **(2)** (b) ~~Approve or disapprove applications for sanitary permits and assist~~ Assist applicants in preparing ~~an~~ approvable ~~application~~ sanitary permit applications.

SECTION 2204. 145.20 (2) (d) to (h) of the statutes are amended to read:

145.20 **(2)** (d) Inspect all ~~private~~ small sewage systems after construction but before backfilling no later than the end of the next workday, excluding Saturdays, Sundays and holidays, after receiving notice from the plumber in charge.

(e) File reports and conduct surveys and inspections as required by the governmental unit responsible for the regulation of ~~private~~ small sewage systems or the department.

(f) Investigate violations of the ~~private~~ small sewage system ordinance and s. 254.59 (2), issue orders to abate the violations and submit orders to the district attorney, corporation counsel or attorney general for enforcement.

(g) Perform other duties regarding ~~private~~ small sewage systems as considered appropriate by the governmental unit responsible for the regulation of ~~private~~ small sewage systems or as required by the rules of the department.

(h) Inspect existing ~~private~~ small sewage systems to determine compliance with s. 66.036 if a building or structure is being constructed which requires connection to an existing ~~private~~ small sewage system. The county is not required to conduct an on–site inspection if a building or structure is being constructed which does not require connection to an existing ~~private~~ small sewage system.

SECTION 2205. 145.20 (3) (a) and (b) of the statutes are amended to read:

145.20 **(3)** (a) 1. The department may specify categories of ~~private~~ small sewage systems for which approval by the department is required prior to issuance of sanitary permits by the governmental unit responsible for the regulation of ~~private~~ small sewage systems.

2. The department may exempt a governmental unit from any category of ~~private~~ small sewage systems for which departmental approval is required prior to sanitary permit issuance under subd. 1., upon a determination, in accordance with rules promulgated by the department, that past performance of the governmental unit on reviews and audits under par. (b) has been satisfactory and that the governmental unit has the capacity to give the same level of application and plan review as that provided by the department. The department may revoke an exemption upon a finding that performance of the governmental unit on a review or audit conducted subsequent to the granting of the exemption is unsatisfactory or

that the governmental unit is not giving the same level of application and plan review as that provided by the department. Findings in a revocation action may be made only after a public hearing upon 30 days' advance notice to the clerk of the governmental unit. The department shall submit a report under s. 13.172 (2) to the chief clerk of each house of the legislature, at the beginning of each legislative session, describing the exemptions under this subdivision.

(b) The department shall review the ~~private~~ small sewage system program in each governmental unit responsible for the regulation of ~~private~~ small sewage systems to ascertain compliance with sub. (2) and with regulations issued by the department. This review shall include a random audit of sanitary permits, including verification by on–site inspection.

SECTION 2206. 145.20 (3) (c) of the statutes is amended to read:

145.20 **(3)** (c) If the governing body for a governmental unit responsible for the regulation of private sewage systems does not adopt a private sewage system ordinance meeting the requirements of s. 59.70 (5) or if the governmental unit does not appoint personnel meeting the requirements of sub. (1) or if the governmental unit does not comply with the requirements of sub. (2) or s. 145.19 (3), the department may conduct hearings in the county seat upon 30 days' notice to the county clerk. As soon as practicable after the public hearing, the department shall issue a written decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub. (1) or (2). If the department determines that there is a violation of these provisions, the ~~governmental unit may not issue a sanitary permit for the installation of a private sewage system until the violation is corrected~~ department may issue an order directing the governmental unit to remedy the violation.

SECTION 2207. 145.20 (3) (c) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

145.20 **(3)** (c) If the governing body for a governmental unit responsible for the regulation of ~~private~~ small sewage systems does not adopt a ~~private~~ small sewage system ordinance meeting the requirements of s. 59.70 (5) or if the governmental unit does not appoint personnel meeting the requirements of sub. (1) or if the governmental unit does not comply with the requirements of sub. (2) or s. 145.19 (3), the department may conduct hearings in the county seat upon 30 days' notice to the county clerk. As soon as practicable after the public hearing, the department shall issue a written decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub. (1) or (2). If the department determines that there is a violation of these provisions, the department may issue an order directing the governmental unit to remedy the violation.

SECTION 2208. 145.20 (4) of the statutes is amended to read:

145.20 **(4)** SPECIAL ASSESSMENT FOR HOLDING AND SEPTIC TANK PUMPING. A governmental unit may assess the owner of a ~~private~~ small sewage system for costs related to the pumping of a septic or holding tank. The governmental unit shall make any assessment in the same manner that a city, village or town makes an assessment under s. 66.60.

SECTION 2209. 145.24 of the statutes is amended to read:

145.24 Variances. (1) If an existing ~~private~~ small sewage system either is not located in soil meeting the siting standards or is not constructed in accordance with design standards promulgated under s. 145.02 or 145.13, the owner of the ~~private~~ small sewage system may petition the department for a variance to the siting or design standards.

(2) The department shall establish procedures for the review and evaluation of existing ~~private~~ small sewage systems which do not comply with siting or design standards.

(3) Upon receipt of a petition for a variance, the department shall require the owner of the ~~private~~ small sewage system to submit information necessary to evaluate the request for a variance. If the department determines that the existing ~~private~~ small sewage system is not a failing ~~private~~ small sewage system, and continued use of the existing ~~private~~ small sewage system will not pose a threat of contamination of waters of the state, then the department may issue a variance to allow continued use of the existing ~~private~~ small sewage system. The department shall rescind the variance if the existing ~~private~~ small sewage system becomes a failing ~~private~~ small sewage system or contaminates waters of the state.

SECTION 2210. 145.245 (title) of the statutes is amended to read:

145.245 (title) **~~Private~~ Small sewage system replacement or rehabilitation.**

SECTION 2211. 145.245 (1) (a) 1. of the statutes is amended to read:

145.245 **(1)** (a) 1. A determination that a ~~private~~ small sewage system is failing, according to the criteria under sub. (4), based on an inspection of the ~~private~~ small sewage system by an employe of the state or a governmental unit who is certified to inspect ~~private~~ small sewage systems by the department.

SECTION 2212. 145.245 (1) (ae) of the statutes is amended to read:

145.245 **(1)** (ae) "Governmental unit" means a governmental unit responsible for the regulation of ~~private~~ small sewage systems. "Governmental unit" also includes a federally recognized American Indian tribe or band.

SECTION 2213. 145.245 (3) of the statutes is amended to read:

145.245 **(3)** MAINTENANCE. The department shall establish a maintenance program to be administered by governmental units. The maintenance program is applicable to all new or replacement ~~private~~ small sewage systems constructed in a governmental unit after the date on which the governmental unit adopts this program. The maintenance program shall include a requirement of inspection or pumping of the ~~private~~ small sewage system at least once every 3 years. Inspections may be conducted by a master plumber, journeyman plumber or restricted plumber licensed under this chapter, a ~~person licensed under s. 281.48~~ small sewage system inspector certified under ss. 101.66 and 145.02 or by an employe of the state or governmental unit designated by the department. ~~The department of natural resources may suspend or revoke a license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the operator of a septage servicing vehicle if the department of natural resources finds that the licensee or operator falsified information on inspection forms.~~ The department of commerce may suspend or revoke the license of a plumber licensed under this chapter if the department finds that the plumber falsified information on inspection forms.

SECTION 2214. 145.245 (3) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

145.245 **(3)** MAINTENANCE. The department shall establish a maintenance program to be administered by governmental units. The maintenance program is applicable to all new or replacement small sewage systems constructed in a governmental unit after the date on which the governmental unit adopts this program. The department shall establish by rule a schedule for the inspection or pumping of the small sewage system. Inspections may be conducted by a master plumber, journeyman plumber or restricted plumber licensed under this chapter, by

a small sewage system inspector certified under ss. 101.66 and 145.02 or by an employe of the state or governmental unit designated by the department. The department of commerce may suspend or revoke the license of a plumber licensed under this chapter if the department finds that the plumber falsified information on inspection forms.

SECTION 2215. 145.245 (3) (d) of the statutes is amended to read:

145.245 **(3)** (d) The department shall conduct training and informational programs for officials of the governmental unit responsible for the regulation of ~~private~~ small sewage systems and employes and persons licensed under this chapter and s. 281.48 and certified as operators of septage servicing vehicles under s. 281.17 (3) to improve the delivery of service under the ~~private~~ small sewage system program. The department shall obtain the assistance of the Wisconsin counties association in planning and conducting the training and informational programs.

SECTION 2216. 145.245 (4) (intro.) of the statutes is amended to read:

145.245 **(4)** FAILING ~~PRIVATE~~ SMALL SEWAGE SYSTEMS. (intro.) The department shall establish criteria for determining if a ~~private~~ small sewage system is a failing ~~private~~ small sewage system. A failing ~~private~~ small sewage system is one which causes or results in any of the following conditions:

SECTION 2217. 145.245 (4) (b) of the statutes is amended to read:

145.245 **(4)** (b) The introduction of sewage into zones of saturation which adversely affects the operation of a ~~private~~ small sewage system.

SECTION 2218. 145.245 (4) (e) of the statutes is amended to read:

145.245 **(4)** (e) The failure to accept sewage discharges and back up of sewage into the structure served by the ~~private~~ small sewage system.

SECTION 2219. 145.245 (4m) of the statutes is amended to read:

145.245 **(4m)** CATEGORIES OF FAILING ~~PRIVATE~~ SMALL SEWAGE SYSTEMS. For the purposes of this section, the department shall establish the category of each failing ~~private~~ small sewage system for which a grant application is submitted, as follows:

(a) Category 1: failing ~~private~~ small sewage systems described in sub. (4) (a) to (c).

(b) Category 2: failing ~~private~~ small sewage systems described in sub. (4) (d).

(c) Category 3: failing ~~private~~ small 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 2221. 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 failing ~~private~~ small sewage system, if the ~~private~~ small 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~~ small 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~~ 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 2223. 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 failing ~~private~~ small sewage system, if the ~~private~~ small 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~~ small sewage system.

SECTION 2224. 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 failing ~~private~~ small 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 federal 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~~ federal income tax returns ~~for the taxable year prior to the year in which the determination of failure is~~ upon which the determination of federal adjusted gross income under subd. 2. was 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 2228. 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 failing ~~private~~ small 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 2230. 145.245 (6) of the statutes is amended to read:

145.245 **(6)** USE OF FUNDS. (a) Except for grants under par. (b), funds available under a grant under this section shall be applied to the rehabilitation or replacement of the ~~private~~ small sewage system. An existing ~~private~~ small sewage system may be replaced by an alternative ~~private~~ small sewage system or by a system serving more than one principal residence.

(b) Funds available under a grant under this section for experimental ~~private~~ small sewage systems shall be applied to the installation and monitoring of the experimental ~~private~~ small sewage systems.

SECTION 2231. 145.245 (7) of the statutes is amended to read:

145.245 **(7)** ALLOWABLE COSTS; STATE SHARE. (a) Except as provided in par. (e), costs allowable in determining grant funding under this section may not exceed the costs of rehabilitating or replacing a ~~private~~ small sewage system which would be necessary to allow the rehabilitated system or new system to meet the minimum requirements of the state plumbing code promulgated under s. 145.13.

(b) Except as provided in par. (e), costs allowable in determining grant funding under this section may not exceed the costs of rehabilitating or replacing a ~~private~~ small sewage system by the least costly methods.

(c) Except as provided in pars. (d) and (e), the state grant share under this section is limited to $7,000 for each principal residence or small commercial establishment to be served by the ~~private~~ small sewage system or to the amount determined by the department based upon ~~private~~ small sewage system grant funding tables, whichever is less. The department shall prepare and publish ~~private~~

small sewage system grant funding tables which specify the maximum state share limitation for various components and costs involved in the rehabilitation or replacement of a ~~private~~ small sewage system based upon minimum size and other requirements specified in the state plumbing code promulgated under s. 145.02. The maximum state share limitations shall be designed to pay approximately 60% of the average allowable cost of ~~private~~ small sewage system rehabilitation or replacement based upon estimated or actual costs of that rehabilitation or replacement. The department shall revise the grant funding tables when it determines that 60% of current costs of ~~private~~ small sewage system rehabilitation or replacement exceed the amounts in the grant funding tables by more than 10%, except that the department may not revise the grant funding tables more often than once every 2 years.

(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 failing ~~private~~ small 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.

(e) Costs allowable for experimental ~~private~~ small sewage systems shall include the costs of installing and monitoring experimental ~~private~~ small sewage systems installed under s. 145.02 (3) (b) and this section. The department shall promulgate rules that specify how the department will select, monitor and allocate the state share for experimental ~~private~~ small sewage systems that the department funds under this section.

SECTION 2232. 145.245 (8) (a) of the statutes is amended to read:

145.245 **(8)** (a) In order to be eligible for a grant under this section, a governmental unit shall make an application for replacement or rehabilitation of ~~private~~ small sewage systems of principal residences or small commercial establishments and shall submit an application for participation to the department. The application shall be in the form and include the information the department prescribes. In order to be eligible for funds available in a fiscal year, an application is required to be received by the department prior to February 1 of the previous fiscal year.

SECTION 2233. 145.245 (9) (b) of the statutes is amended to read:

145.245 **(9)** (b) Certify that grants will be used for ~~private~~ small sewage system replacement or rehabilitation for a principal residence or small commercial establishment owned by a person who meets the eligibility requirements under sub. (5), that the funds will be used as provided under sub. (6) and that allowable costs will not exceed the amount permitted under sub. (7);

SECTION 2234. 145.245 (9) (c) of the statutes is amended to read:

145.245 **(9)** (c) Certify that grants will be used for ~~private~~ small sewage systems which will be properly installed and maintained;

SECTION 2235. 145.245 (9) (e) of the statutes is amended to read:

145.245 **(9)** (e) Establish a process for regulation and inspection of ~~private~~ small sewage systems;

SECTION 2236. 145.245 (11) (e) of the statutes is amended to read:

145.245 **(11)** (e) *Limitation; experimental ~~private~~ small sewage systems.* The department may not allocate more than 10% of the funds available under this subsection each fiscal year for grants for the installation and monitoring of experimental ~~private~~ small sewage systems.

SECTION 2237. 145.245 (11m) (b) to (d) of the statutes are 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~~ small sewage systems, the department shall fully fund all category 1 systems and prorate the funds for category 2 systems on a proportional basis.

(c) Except as provided in par. (d), if funds are not sufficient to fully fund all category 1 failing ~~private~~ small sewage systems, the department shall fund the category 1 systems on a proportional basis and deny the grant applications for all category 2 systems.

(d) The department is not required to prorate available funds for grants for the installation and monitoring of experimental ~~private~~ small sewage 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 2239. 145.245 (13) of the statutes is amended to read:

145.245 **(13)** INSPECTION. Agents of the department or the governmental unit may enter premises where ~~private~~ small sewage systems are located pursuant to a special inspection warrant as required under s. 66.122, to collect samples, records and information and to ascertain compliance with the rules and orders of the department or the governmental unit.

SECTION 2240. 145.245 (14) (d) of the statutes is amended to read:

145.245 **(14)** (d) Additional grants under this section to a governmental unit previously awarded a grant under this section may be suspended or terminated if the department finds that a ~~private~~ small sewage system previously funded in the governmental unit is not being or has not been properly rehabilitated, constructed, installed or maintained.

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 2242. 146.50 (5) (f) of the statutes is amended to read:

146.50 **(5)** (f) The department may charge a reasonable fee for ~~a~~ an initial license or training permit issued under this subsection, except that no fee may be charged to an individual who is an employe of a public agency and who works for volunteer or paid–on–call ambulance service providers and who is an applicant for a license as an emergency medical technician — basic or for a training permit.

SECTION 2243. 146.50 (10) of the statutes is renumbered 146.50 (10) (a) (intro.) and amended to read:

146.50 **(10)** (a) (intro.) Every holder of a license issued under sub. (5) or (7) shall renew the license on July 1 of each even–numbered year by applying to the department on forms provided by the department. ~~Upon receipt of an application for renewal containing documentation acceptable to the department that the requirements of sub. (6) have been met~~ Unless the department finds that the applicant has acted in a manner or under circumstances constituting grounds for suspension or revocation of the license and except as provided in ss. 146.51 and 146.52, the department shall renew the license ~~unless the department finds that the~~

~~applicant has acted in a manner or under circumstances constituting grounds for suspension or revocation of the license.~~ upon receipt of all of the following:

SECTION 2244. 146.50 (10) (a) 1. of the statutes is created to read:

146.50 **(10)** (a) 1. An application for renewal containing documentation acceptable to the department that the applicable requirements of sub. (6) have been met.

SECTION 2245. 146.50 (10) (a) 2. of the statutes is created to read:

146.50 **(10)** (a) 2. A reasonable fee prescribed by rule by the department for license renewal.

SECTION 2246. 146.50 (10) (a) 3. of the statutes is created to read:

146.50 **(10)** (a) 3. If applicable, late fees prescribed by rule by the department for untimely license renewal.

SECTION 2247. 146.50 (10) (b) of the statutes is created to read:

146.50 **(10)** (b) The department shall credit all late fees assessed under par. (a) 3. to the appropriation account under s. 20.435 (1) (gm).

SECTION 2248. 146.50 (11m) of the statutes is created to read:

146.50 **(11m)** FORFEITURES; AMBULANCE SERVICE PROVIDERS. (a) Any ambulance service provider who violates this section or any rule promulgated under the authority of this section shall forfeit not more than the amount specified by rule by the department. Each day of violation constitutes a separate offense, except that no day in the period between the date on which a request for hearing is filed under s. 227.44 and the date of the conclusion of all administrative and judicial proceedings arising out of a decision under this subsection constitutes a violation.

(b) The department may directly assess forfeitures under par. (a). If the department determines that a forfeiture should be assessed for a particular violation

or for failure to correct the violation, the department shall send a notice of assessment to the alleged violator. The notice shall specify the alleged violation of the statute or rule and the amount of the forfeiture assessed and shall inform the alleged violator of the right to contest the assessment under s. 227.44.

(c) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested as specified in par. (b), within 10 days after receipt of the final decision, unless the final decision is appealed and the decision is in favor of the appellant. The department shall remit all forfeitures paid under this subsection to the state treasurer for deposit in the school fund.

SECTION 2249. 146.50 (13) (a) of the statutes is repealed.

SECTION 2250. 146.50 (13) (d) of the statutes is created to read:

146.50 **(13)** (d) The department shall promulgate rules that prescribe all of the following:

1. The amounts for license renewal fees to be assessed under sub. (10) (a) 2.

2. The amounts for late fees to be assessed under sub. (10) (a) 3. against an applicant for untimely renewal of a license issued under sub. (5) or (7).

3. The amounts for forfeitures to be assessed under sub. (11m) against an ambulance service provider.

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 2252. 146.819 (4) (e) of the statutes is repealed.

SECTION 2253. 146.82 (1) of the statutes is amended to read:

146.82 **(1)** CONFIDENTIALITY. All patient health care records shall remain confidential. Patient health care records may be released only to the persons designated in this section or to other persons with the informed consent of the patient or of a person authorized by the patient. This subsection does not prohibit reports made in compliance with s. 146.995, 253.12 (2) or 979.01 or testimony authorized under s. 905.04 (4) (h).

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 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 <u>or under s. 49.686 for the cost of drugs for the treatment of HIV infection or AIDS</u> are not ineligible for coverage under the plan by reason of such payments or reimbursements.

SECTION 2259. 149.14 (3) (intro.) of the statutes is amended to read:

149.14 **(3)** COVERED EXPENSES. (intro.) 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.~~ <u>ss.</u> 149.143 ~~or,~~ 149.144 <u>and 149.15 (3) (e)</u>, covered expenses for the coverage under this section shall be the usual and customary charges for the services provided by persons licensed under ch. 446 and certified under s. 49.45 (2) (a) 11. 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.~~ <u>ss.</u> 149.143 ~~or,~~ 149.144 <u>and 149.15 (3) (e)</u>, covered expenses for the coverage under this section shall also be the usual and customary charges 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 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 2261. 149.14 (6) (title) of the statutes is created to read:

149.14 **(6)** (title) PREEXISTING CONDITIONS.

SECTION 2262. 149.143 (1) (a) of the statutes is amended to read:

149.143 **(1)** (a) First from the appropriation under s. 20.435 ~~(5)~~ (4) (af).

SECTION 2263. 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 ss. 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 2264. 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)~~ (4) (gh), to the extent that the amounts under subd. 1. a. are insufficient to pay 60% of plan costs.

SECTION 2265. 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 ss. 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 2266. 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 ss. 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 the appropriation under s. 20.435 ~~(5)~~ (4) (af) for that plan year.

SECTION 2267. 149.143 (2) (a) 1. c. of the statutes is amended to read:

149.143 **(2)** (a) 1. c. If the amount estimated to be received under subd. 1. a. is less than the amount estimated to be received under subd. 1. b., direct the plan administrator to provide to the department, prior to the beginning of the plan year and according to procedures specified by the department, the amount of the difference. The department shall deposit all amounts received under this subd. 1. c. in the appropriation account under s. 20.435 ~~(5)~~ (4) (gh).

SECTION 2268. 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 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 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, 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 department shall notify the commissioner so that the commissioner may levy any increase in insurer assessments.

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 2272. 149.15 (3) (intro.) of the statutes is amended to read:

149.15 **(3)** (intro.) The board shall ~~do~~ advise the department on all of the following:

SECTION 2273. 149.15 (3) (a) of the statutes is amended to read:

149.15 **(3)** (a) ~~Establish~~ Establishing procedures under which applicants and participants may have grievances reviewed by an impartial body and reported to the board.

SECTION 2274. 149.15 (3) (c) of the statutes is amended to read:

149.15 **(3)** (c) ~~Collect~~ Determining assessments to be collected from all insurers to provide for claims paid under the plan and for administrative expenses incurred or estimated to be incurred during the period for which the assessment is made. The level of payments shall be established as provided under s. 149.143. Assessment of the insurers shall occur at the end of each calendar year or other fiscal year end established by the board. Assessments are due and payable within 30 days of receipt by the insurer of the assessment notice.

SECTION 2275. 149.15 (3) (d) of the statutes is amended to read:

149.15 **(3)** (d) ~~Develop and implement~~ Developing and implementing a program to publicize the existence of the plan, the eligibility requirements and procedures for enrollment, and to maintain public awareness of the plan.

SECTION 2276. 149.15 (3) (e) of the statutes is amended to read:

149.15 **(3)** (e) ~~Establish~~ Establishing for payment of covered expenses, a payment rate that is 10% less than the charges approved by the plan administrator for reimbursement of covered expenses under s. 149.14 (3).

SECTION 2277. 149.15 (3) (f) of the statutes is amended to read:

149.15 **(3)** (f) ~~Advise the department on the~~ The choice of coverage under s. 149.146.

SECTION 2278. 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 from the appropriation under s. 20.435 ~~(5)~~ (4) (ah).

SECTION 2279. 150.84 (2) of the statutes is amended to read:

150.84 **(2)** "Health care facility" means a facility, as defined in s. 647.01 (4), or any hospital, nursing home, community–based residential facility, county home, county infirmary, county hospital, county mental health center~~, tuberculosis sanatorium~~ or other place licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08~~,~~ or 51.09~~, 58.06, 252.073 or 252.076~~ or a facility under s. 45.365, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

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 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 2284. 155.01 (6) of the statutes is amended to read:

155.01 **(6)** "Health care facility" means a facility, as defined in s. 647.01 (4), or any hospital, nursing home, community–based residential facility, county home, county infirmary, county hospital, county mental health center~~, tuberculosis sanatorium~~ or other place licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08~~,~~ or 51.09~~, 58.06, 252.073 or 252.076~~ or a facility under s. 45.365, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

SECTION 2285. 160.255 of the statutes is amended to read:

160.255 Exceptions for ~~private~~ certain sewage systems. (1) In this section, "~~private~~ exempt sewage system" ~~has the meaning given~~ means a small sewage system, as defined in s. 145.01 ~~(12)~~ (14m), or a sewage system that is in existence on January 1, 2000, and that would be a small sewage system except that its design flow exceeds the maximum design flow specified under s. 145.02 (4) (c).

(2) Notwithstanding s. 160.19 (1), (2) and (4) (b), a regulatory agency is not required to promulgate or amend rules that define design or management criteria for ~~private~~ exempt sewage systems to minimize the amount of nitrate in groundwater or to maintain compliance with the preventive action limit for nitrate.

(3) Notwithstanding s. 160.19 (3), a regulatory agency may promulgate rules that define design or management criteria for ~~private~~ exempt sewage systems that

permit the enforcement standard for nitrate to be attained or exceeded at the point of standards application.

(4) Notwithstanding s. 160.21, a regulatory agency is not required to promulgate rules that set forth responses that the agency may take, or require to be taken, when the preventive action limit or enforcement standard for nitrate is attained or exceeded at the point of standards application if the source of the nitrate is ~~a private~~ an exempt sewage system.

(5) Notwithstanding ss. 160.23 and 160.25, a regulatory agency is not required to take any responses for a specific site at which the preventive action limit or enforcement standard for nitrate is attained or exceeded at the point of standards application if the source of the nitrate is ~~a private~~ an exempt sewage system.

SECTION 2286. 165.017 (5) of the statutes is repealed.

SECTION 2287. 165.25 (6) (f) of the statutes is created to read:

165.25 **(6)** (f) Except as provided under ss. 49.49 (6), 100.263, 133.16, 281.98, 283.91 (5), 289.96 (3), 292.99, 293.87 (4), 295.19 (3) (b), 299.95 and 299.97, any money that is received by the department of justice under this subsection as the result of a contract or understanding between the department of justice and another state agency that is approved under s. 16.505 or 16.515 or as part of the biennial budget act shall be credited to the appropriation under s. 20.455 (1) (km). If authority to spend the money that is received by the department of justice under this subsection as the result of a contract or understanding between the department of justice and another state agency is not approved under s. 16.505 or 16.515 or as part of the biennial budget act, the money received shall be paid into the general fund as provided under s. 20.001 (4) or 165.25 (4) (d). An agency that is not enumerated in this section and that does not have a contract or understanding with the department

of justice that is approved under s. 16.505 or 16.515 or as part of the biennial budget act may not be charged for legal services provided to that agency by the department of justice.

SECTION 2288. 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)<u>, or a secured group home, as defined in s. 938.02 (15p),</u> 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 2289. 165.76 (2) (b) 2. of the statutes is amended to read:

165.76 **(2)** (b) 2. If the person has been sentenced to prison or placed in a secured correctional facility ~~or,~~ a secured child caring institution <u>or a secured group home</u>, he or she shall provide the specimen under par. (a) at the office of a county sheriff as soon as practicable after release on parole, extended supervision or aftercare supervision, as directed by his or her probation, extended supervision and parole agent or aftercare agent, except that the department of corrections <u>or the county department under s. 46.215, 46.22 or 46.23 operating the secured group home in which the person is placed</u> may require the person to provide the specimen while he or she is in prison or in ~~a~~ <u>the</u> secured correctional facility ~~or a,~~ secured child caring institution <u>or secured group home</u>.

SECTION 2290. 165.85 (5m) of the statutes is repealed.

SECTION 2291. 165.87 (1) (title) of the statutes is repealed.

SECTION 2292. 165.87 (1) (a) of the statutes is renumbered 165.87 and amended to read:

165.87 Law enforcement training fund. ~~Twenty–seven fifty–fifths of all moneys~~ Moneys collected from penalty assessments under ~~this section shall be credited~~ s. 757.05 and transferred to the appropriation account under s. 20.455 (2) ~~(i) and utilized~~ (kp) and (kq) shall be used in accordance with ~~ss. 20.455 (2) and~~ s. 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),~~ and shall constitute the law enforcement training fund.

SECTION 2293. 165.87 (1) (b) of the statutes is repealed.

SECTION 2294. 165.87 (1) (bn) of the statutes is repealed.

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.

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 2303. 166.20 (7g) of the statutes is repealed.

SECTION 2304. 168.12 (1) of the statutes is amended to read:

168.12 **(1)** Except as provided in subs. (1g) and (1r), there is imposed a petroleum inspection fee at the rate ~~of 3 cents per gallon~~ specified in sub. (1e) on all petroleum products that are received by a supplier for sale in this state or for sale for export to this state. The department of revenue shall determine when a petroleum product is received under this subsection in the same manner that it determines under s. 78.07 when motor vehicle fuel is received. The fee shall be paid under s. 168.125 and shall be based on the number of gallons reported under s. 168.125.

SECTION 2305. 168.12 (1e) of the statutes is created to read:

168.12 **(1e)** (a) Except as provided in par. (b), the petroleum inspection fee is 3 cents per gallon.

(b) 1. On or before January 1 of each even–numbered year, beginning with January 1, 2002, the department shall determine the total amount claimed as

reimbursement for claims that have been submitted under s. 101.143 (3) and that are unpaid as of the preceding June 30. If that total exceeds $10,000,000, the department shall increase the petroleum inspection fee, effective the following April 1, by the amount per gallon, rounded to the nearest 0.1 cent, that the department estimates will annually generate revenue equal to the amount by which the total of the unpaid claims exceeds $10,000,000.

2. On or before January 1 of each even–numbered year, beginning with January 1, 2002, the department shall determine the unencumbered balance in the petroleum inspection fund as of the preceding June 30. If that balance exceeds $10,000,000 and if no revenue obligations issued under s. 101.143 (9m) are outstanding, the department shall reduce the petroleum inspection fee, effective the following April 1, by the amount per gallon, rounded to the nearest 0.1 cent, that the department estimates will reduce the revenue raised annually by the fee in an amount equal to $5,000,000 or the amount by which that balance exceeds $10,000,000, whichever is greater.

3. The department shall notify the department of revenue of any change in the petroleum inspection fee under this paragraph.

SECTION 2306. 170.12 (6) (a) of the statutes is amended to read:

170.12 **(6)** (a) The boundaries of the location where sunken logs may be raised pursuant to the permit. The area covered by the permit shall be contiguous<u>, shall be contained within a single quarter section</u> and may not exceed 160 acres. A permit may not cover submerged lands that are not contained within Lake Michigan, Lake Superior, Star Lake in Villas County, Boom Lake in Oneida County, Rib Lake in Taylor County or the Fox River. No location may be covered by more than one permit under this section.

SECTION 2307. 177.01 (10) of the statutes is renumbered 177.01 (10) (a).

SECTION 2308. 177.01 (10) (b) of the statutes is created to read:

177.01 **(10)** (b) "Intangible property" does not include a credit balance issued to a commercial customer account by a business association in the ordinary course of business, unless the credit balance is property described in s. 177.06 (1) or (2) held by a banking organization or financial organization.

SECTION 2309. 195.28 (2) of the statutes is amended to read:

195.28 **(2)** INSTALLATION COSTS. The cost of any signal or other crossing protection device which is ordered installed under sub. (1) and the cost of installing any such device shall be paid by the department from the appropriations under s. 20.395 (2) (gj), (gr) and (gx). <u>This subsection applies only if, prior to the order under sub. (1), the secretary of transportation or the railroad grade crossings committee has recommended that the office consider improvements to the railroad grade crossing as provided in 1999 Wisconsin Act .... (this act), section 9150 (5), or if, regardless of the recommendation concerning the crossing, the office determines that immediate improvements to the crossing are necessary to protect public safety.</u>

SECTION 2310. 196.02 (7m) of the statutes is created to read:

196.02 **(7m)** SUBMITTAL OF INFORMATION. (a) Notwithstanding sub. (4) (a), (b) 3., (6) or (7):

1. The commission may require a telecommunications utility to submit information to the commission only if the commission reduces, to the extent practicable, any burden on the telecommunications utility that results from complying with the requirement.

2. A telecommunications utility is not required to provide any information to the commission unless the commission certifies each of the following:

a. The information is necessary for the commission to enforce a requirement under this chapter.

b. The information is not unnecessarily duplicative of information that is in the commission's possession.

(b) The commission shall promulgate rules that establish requirements and procedures for making a certification specified in par. (a) 2.

SECTION 2311. 196.14 of the statutes is renumbered 196.14 (intro.) and amended to read:

196.14 Public record exception. (intro.) The commission ~~may~~ shall withhold from public inspection any ~~information which would~~ of the following:

(1) Any information that commission determines may aid a competitor of a public utility in competition with the public utility.

SECTION 2312. 196.14 (2) of the statutes is created to read:

196.14 **(2)** Any information that is designated as confidential by a public utility when the public utility submits the information to the commission and that the public utility shows to the satisfaction of the commission may aid a competitor of the public utility.

SECTION 2313. 196.19 (1m) (b) of the statutes is amended to read:

196.19 **(1m)** (b) A telecommunications utility may not offer a new telecommunications service to the public without first filing a tariff for that offering with the commission. A proposed tariff offering a new telecommunications service shall be effective on the date specified in the tariff ~~but not earlier than 10 days after the date on which the tariff is filed with the commission~~, unless the commission, either upon complaint or upon its own motion, suspends the operation of the new tariff by serving written notice of the suspension on the telecommunications utility

within 10 days after the date of filing. The notice shall include a statement of the reason under par. (c) upon which the commission believes the tariff may be modified.

SECTION 2314. 196.19 (1m) (e) of the statutes is repealed.

SECTION 2315. 196.194 (3) of the statutes is created to read:

196.194 **(3)** FIRM INCREMENT CONTRACTS. (a) In this subsection:

1. "Control area" means an electric power system or combination of electric power systems that, as determined by the commission, is subject to a common automatic control scheme.

2. "Firm customer" means an industrial or commercial customer of a public utility that is provided firm service by the public utility.

3. "Firm increment" means the amount by which the estimated electric usage of a firm customer for a 12–month period that is determined at the beginning of the period exceeds the actual electric usage of the firm customer during the period.

4. "Firm service" means retail electric service that a public utility may not interrupt on the basis of anticipated or actual shortages of electric capacity within a control area.

5. "Interruptible customer" means an industrial or commercial customer of a public utility that is provided interruptible service by the public utility.

6. "Interruptible service" means retail electric service that a public utility may interrupt on the basis of anticipated or actual shortages of electric capacity within a control area.

(b) Notwithstanding ss. 196.03, 196.19, 196.20, 196.21, 196.22, 196.37, 196.60 and 196.604, the commission may approve the filing of a tariff that allows a firm customer to enter into contracts to sell a firm increment to an interruptible customer in the same control area if the commission determines that such sales by a firm

customer will contribute to energy conservation and load management that are designed to reduce the energy needs of firm customers.

(c) If the commission approves the filing of a tariff specified in par. (b) and a firm customer provides written notice to the public utility that filed the tariff that the firm customer has entered into a contract specified in par. (b) with an interruptible customer, the public utility shall, for each unit of firm increment that the firm customer sells to the interruptible customer under the contract, do each of the following for the duration of the contract period:

1. Reduce the amount of firm service that it provides to the firm customer by the amount of each unit and provide interruptible service to the firm customer in the amount of each unit.

2. Provide firm service to the interruptible customer in amount equal to 80% of each unit.

(d) A notice under par. (c) shall describe the terms of a contract specified in par. (b), including the duration of the contract period.

(e) The commission shall promulgate rules establishing requirements and procedures for sales of firm increment under a tariff approved under par. (b), including requirements for determining an amount of firm increment.

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~~ <u>necessary to fully fund the appropriations</u> under ss. 20.155 (1) (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) (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 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), except that no moneys in the universal service fund may be used to pay installation costs that are necessary for a political subdivision to obtain access to bandwidth under a shared service agreement under s. 44.73 (2r) (a).

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 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 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 2335. 196.315 of the statutes is created to read:

196.315 Prohibitions in certain proceedings. (1) No person may make any filing, including a complaint, in a proceeding under s. 196.26, 196.28 or 196.30 unless there is a nonfrivolous basis for doing so. A person may not make any filing, including a complaint, in a proceeding under s. 196.26, 196.28 or 196.30 unless, to the best of the person's knowledge, information and belief, formed after a reasonable inquiry, all of the following conditions are satisfied:

(a) The filing is reasonably supported by applicable law.

(b) The allegations and other factual contentions in the filing have evidentiary support or, if specifically so identified in the filing, are likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

(c) The filing is not intended to harass any other party to the proceeding.

(d) The filing is not intended to create a needless increase in the cost of litigation.

(2) No later than 60 days after a complaint is filed under s. 196.26 or 196.30, the commission shall determine whether the complaint has been filed in violation of sub. (1). If, after notice and opportunity for hearing, the commission determines under this subsection that a person has filed a complaint in violation of sub. (1), the commission shall terminate the proceeding on the complaint and proceed under sub. (4).

(3) If, at any time during a proceeding under s. 196.26, 196.28 or 196.30, the commission determines, after notice and reasonable opportunity to be heard, that a person has made a filing in violation of sub. (1), including the filing of a complaint, the commission shall proceed under sub. (4).

(4) If the commission determines that a person has violated sub. (1), the commission shall order the person to pay to any party to the proceeding the amount of reasonable expenses incurred by that party because of the filing, including reasonable attorney fees, and the commission may directly assess a forfeiture against the person of not less than $25 nor more than $5,000. A person against whom the commission assesses a forfeiture under this subsection shall pay the forfeiture to the commission within 10 days after receipt of notice of the assessment or, if the person petitions for judicial review under ch. 227, within 10 days after receipt of the final decision after exhaustion of judicial review. The commission shall remit all forfeitures paid under this subsection to the state treasurer for deposit in the school fund. The attorney general may bring an action in the name of the state to collect any forfeiture assessed by the commission under this subsection that has not been

paid as provided in this subsection. The only contestable issue in such an action is whether or not the forfeiture has been paid.

SECTION 2336. 196.77 of the statutes is amended to read:

196.77 Promotional rates. Except as provided in this section, nothing in this chapter prohibits a telecommunications utility from filing a tariff to make a limited offering of promotional rates. A promotional rate under this section shall take effect automatically at the time specified in the tariff ~~but not earlier than 10 days after the date the tariff is filed with the commission~~ unless the commission ~~authorizes an earlier effective date or~~ suspends the tariff within 10 days after the date on which it is filed. The commission may suspend a tariff if it believes that the tariff violates s. 196.204, 196.209 or 196.219. If the commission suspends a tariff, it shall investigate and resolve the matter within 60 days after the date on which the tariff is suspended or the tariff shall be effective as filed.

SECTION 2337. 214.01 (1) (im) of the statutes is amended to read:

214.01 **(1)** (im) "Division" means the division of savings ~~and loan~~ <u>institutions</u>.

SECTION 2338. 214.592 of the statutes is amended to read:

214.592 Financially related services tie–ins. In any transaction conducted by a savings bank, a savings bank holding company or a subsidiary of either with a customer who is also a customer of any other subsidiary of any of them, the customer shall be given a notice in 12–point boldface type in substantially the following form:

NOTICE OF RELATIONSHIP

This company, ... (insert name and address of savings bank, savings bank holding company or subsidiary), is related to .... (insert name and address of savings bank, savings bank holding company or subsidiary) of which you are also a customer.

You may not be compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction.

If you feel that you have been compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction, you should contact the management of either of the above companies at either of the above addresses or the division of savings ~~and loan~~ institutions at .... (insert address).

SECTION 2339. 215.01 (6) of the statutes is amended to read:

215.01 **(6)** "Division" means the division of savings ~~and loan~~ institutions.

SECTION 2340. 215.02 (title) of the statutes is amended to read:

215.02 (title) **Division of savings ~~and loan~~ institutions.**

SECTION 2341. 215.141 of the statutes is amended to read:

215.141 Financially related services tie–ins. In any transaction conducted by an association, a savings and loan holding company or a subsidiary of either with a customer who is also a customer of any other subsidiary of any of them, the customer shall be given a notice in 12–point boldface type in substantially the following form:

NOTICE OF RELATIONSHIP

This company, ... (insert name and address of association, savings and loan holding company or subsidiary), is related to ..... (insert name and address of association, savings and loan holding company or subsidiary) of which you are also a customer. You may not be compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction.

If you feel that you have been compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction, you should contact the management of either of the above companies at either of the above addresses or the division of savings ~~and loan~~ institutions at .... (insert address).

SECTION 2342. 218.015 (7) of the statutes is amended to read:

218.015 **(7)** ~~In~~ Except as provided in s. 893.83, in addition to pursuing any other remedy, a consumer may bring an action to recover for any damages caused by a violation of this section. The court shall award a consumer who prevails in such an action twice the amount of any pecuniary loss, together with costs, disbursements and reasonable attorney fees, and any equitable relief the court determines appropriate.

SECTION 2343. 220.04 (9) (a) 2. of the statutes is amended to read:

220.04 **(9)** (a) 2. "Regulated entity" means a bank, universal bank, trust company bank and any other entity which is described in s. 220.02 (2) or 221.0526 as under the supervision and control of the division.

SECTION 2344. 221.0303 (2) of the statutes is amended to read:

221.0303 **(2)** OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS TERMINALS. A bank may, directly or indirectly, acquire, place and operate, or participate in the acquisition, placement and operation of, at locations other than its main or branch offices, customer bank communications terminals, in accordance with rules established by the division. The rules of the division shall provide that any such customer bank communications terminal shall be available for use, on a nondiscriminatory basis, by any state or national bank and by all customers designated by a bank using the terminal. This subsection does not authorize a bank

which has its principal place of business outside this state to conduct banking business in this state. The customer bank communications terminals also shall be available for use, on a nondiscriminatory basis, by any credit union, savings and loan association or savings bank, if the credit union, savings and loan association or savings bank requests to share its use, subject to rules jointly established by the division of banking, the office of credit unions and the division of savings ~~and loan~~ institutions. The division by order may authorize the installation and operation of a customer bank communications terminal in a mobile facility, after notice and hearing upon the proposed service stops of the mobile facility.

SECTION 2345. 221.0321 (5) of the statutes is amended to read:

221.0321 **(5)** CERTAIN SECURED LOANS. A bank may make loans secured by assignment or transfer of stock certificates or other evidence of the borrower's ownership interest in a corporation formed for the cooperative ownership of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage involving a one–family residence, apply to a proceeding to enforce the lender's rights in security given for a loan under this subsection. The division shall promulgate joint rules with the office of credit unions and the division of savings ~~and loan~~ institutions that establish procedures for enforcing a lender's rights in security given for a loan under this subsection.

SECTION 2346. Chapter 222 of the statutes is created to read:

CHAPTER 222

UNIVERSAL BANKS

SUBCHAPTER I

GENERAL PROVISIONS

222.0101 Title. This chapter may be cited as the "Wisconsin universal bank law".

222.0102 Definitions. In this chapter:

(1) "Adequately capitalized" has the meaning given in 12 USC 1831o (b) (1) (B).

(2) "Capital" of a universal bank means the sum of the following, less the amount of intangible assets that is not considered to be qualifying capital by a deposit insurance corporation or the division:

(a) For a universal bank organized as a stock organization, the universal bank's capital stock, preferred stock, undivided profits, surplus, outstanding notes and debentures approved by the division, other forms of capital designated as capital by the division and other forms of capital considered to be qualifying capital of the universal bank by a deposit insurance corporation.

(b) For a universal bank organized as a mutual organization, the universal bank's net worth, undivided profits, surplus, outstanding notes and debentures approved by the division, other forms of capital designated as capital by the division and other forms of capital considered to be qualifying capital by a deposit insurance corporation.

(3) "Deposit insurance corporation" means the Federal Deposit Insurance Corporation or other instrumentality of, or corporation chartered by, the United States that insures deposits of financial institutions and that is supported by the full faith and credit of the U.S. government as stated in a congressional resolution.

(4) "Division" means the division of banking.

(5) "Financial institution" means a state savings bank organized under ch. 214, state savings and loan association organized under ch. 215 or a state bank chartered under ch. 221.

(6) "Universal bank" means a financial institution that has been issued a certificate of authority under s. 222.0205.

(7) "Well–capitalized" has the meaning given in 12 USC 1831o (b) (1) (A).

222.0103 Applicability. (1) SAVINGS BANKS. A universal bank that is a savings bank organized under ch. 214 remains subject to all of the requirements, duties and liabilities, and may exercise all of the powers, of a savings bank, except that in the event of a conflict between this chapter and those requirements, duties, liabilities or powers, this chapter shall control.

(2) SAVINGS AND LOAN ASSOCIATIONS. A universal bank that is a savings and loan association organized under ch. 215 remains subject to all of the requirements, duties and liabilities, and may exercise all of the powers, of a savings and loan association, except that, in the event of a conflict between this chapter and those requirements, duties, liabilities or powers, this chapter shall control.

(3) BANKS. A universal bank that is a bank chartered under ch. 221 remains subject to all of the requirements, duties and liabilities, and may exercise all of the powers, of a bank, except that, in the event of a conflict between this chapter and these requirements, duties, liabilities or powers, this chapter shall control.

222.0105 Fees. The division may establish such fees as it determines are appropriate for documents filed with the division under this chapter and for services provided by the division under this chapter.

222.0107 Administration. (1) POWERS OF DIVISION. The division shall administer this chapter for all universal banks.

(2) RULE–MAKING AUTHORITY. The division may promulgate rules to administer and carry out this chapter. The division may establish additional limits or requirements on universal banks, if the division determines that the limits or

requirements are necessary for the protection of depositors, members, investors or the public.

SUBCHAPTER II

CERTIFICATION

222.0201 Procedure. (1) APPLICATION. A financial institution may apply to become certified as a universal bank by filing a written application with the division. The application shall include such information as the division may require. The application shall be on such forms and in accordance with such procedures as the division may prescribe.

(2) REVIEW BY DIVISION. An application submitted to the division shall either be approved or disapproved by the division in writing within 60 days after its submission to the division. The division and the financial institution may mutually agree to extend the application period for an additional period of 60 days.

222.0203 Eligibility. (1) REQUIREMENTS. The division shall approve an application for certification as a universal bank, if the applying financial institution meets all of the following requirements:

(a) The financial institution is chartered or organized, and regulated, under ch. 214, 215 or 221 and has been in existence and continuous operation for a minimum of 3 years prior to the date of the application.

(b) The financial institution is well–capitalized or adequately capitalized.

(c) The financial institution does not exhibit a combination of financial, managerial, operational and compliance weaknesses that is moderately severe or unsatisfactory, as determined by the division based upon the division's assessment of the financial institution's capital adequacy, asset quality, management capability, earnings quantity and quality, adequacy of liquidity, and sensitivity to market risk.

(d) During the 12–month period prior to the application, the financial institution has not been the subject of an enforcement action and there is no enforcement action pending against the financial institution by any state or federal financial institution regulatory agency, including the division.

(2) FAILURE TO MAINTAIN COMPLIANCE. For any period during which a universal bank fails to meet the requirements under sub. (1), the division may by order limit or restrict the exercise of the powers of the universal bank under this chapter.

222.0205 Certificate of authority. Upon approval of the application under s. 222.0201 for certification as a universal bank, the division shall issue to the applicant a certificate of authority stating that the financial institution is certified as a universal bank under this chapter.

222.0207 Decertification. A financial institution that is certified as a universal bank under this chapter may elect to terminate its certification upon 60 days' prior written notice to the division and written approval of the division. The financial institution shall, as a condition to the termination, terminate its exercise of all powers granted under this chapter prior to the termination of the certification. Written approval of the termination by the division is void if the financial institution fails to satisfy the precondition to termination under this section.

SUBCHAPTER III

ORGANIZATION

222.0301 Articles of incorporation and bylaws. A universal bank shall continue to operate under its articles of incorporation and bylaws as in effect prior to certification as a universal bank or as such articles or bylaws may be subsequently amended in accordance with the provisions of the chapter under which the universal bank was organized or chartered.

222.0303 Name. (1) USE OF "BANK". Notwithstanding ss. 214.035, 215.40 (1) and 215.60 (1) and subject to subs. (2) and (4), a universal bank may use the word "bank" in its name, without having to include the word "savings". Notwithstanding ss. 215.40 (1) and 215.60 (1) and subject to subs. (2) and (4), a universal bank that is organized under ch. 215 and that uses the word "bank" in its name in accordance with this section need not include the words "savings and loan association" or "savings association" in its name.

(2) DISTINGUISHABILITY. Except as provided in subs. (3) and (4), the name of the universal bank shall be distinguishable upon the records of the division from all of the following names:

(a) The name of any other financial institution organized under the laws of this state.

(b) The name of a national bank or foreign bank authorized to transact business in this state.

(3) EXCEPTIONS. A universal bank may apply to the division for authority to use a name that does not meet the requirement under sub. (2). The division may authorize the use of the name if any of the conditions under s. 221.0403 (2) (a) or (b) is met.

(4) USE OF SAME NAME. A universal bank may use a name that is used in this state by another financial institution or by an institution authorized to transact business in this state, if the universal bank has done any of the following:

(a) Merged with the other institution.

(b) Been formed by reorganization of the other institution.

(c) Acquired all or substantially all of the assets, including the name, of the other institution.

222.0305 Capital and assets. (1) CAPITAL REQUIREMENTS. Notwithstanding subch. VI of ch. 214 and ss. 215.24 and 221.0205, the division shall determine the minimum capital requirements of universal banks.

(2) CERTAIN ASSET REQUIREMENTS. Section 214.045 does not apply to universal banks.

222.0307 Acquisitions, mergers and asset purchases. (1) IN GENERAL. A universal bank may, with the approval of the division, purchase the assets of, merge with, acquire or be acquired by any other financial institution, universal bank, national bank, federally chartered savings bank or savings and loan association, or by a holding company of any of these entities. Notwithstanding subch. III of ch. 214 and ss. 214.09 and 215.36, the approval of the division of savings institutions is not required.

(2) APPLICATIONS FOR APPROVAL. An application for approval under sub. (1) shall be submitted on a form prescribed by the division and accompanied by a fee determined by the division. In processing and acting on applications under this section the division shall apply the following standards:

(a) For universal banks organized under ch. 214, ss. 214.09, 214.62 to 214.64 and 214.665 and subch. III of ch. 214.

(b) For universal banks organized under ch. 215, ss. 215.35, 215.36, 215.53 and 215.73.

(c) For universal banks chartered under ch. 221, subchs. VII and IX of ch. 221.

SUBCHAPTER IV

POWERS

222.0401 Federal financial institution powers. (1) IN GENERAL. Subject to the limitations in this section, universal banks may exercise all powers that may

be exercised, directly or indirectly through a subsidiary, by a federally chartered savings bank, a federally chartered savings and loan association, a federally chartered national bank or by an affiliate of such an institution.

(2) REQUIRED NOTIFICATION FOR EXERCISE OF A FEDERAL POWER. A universal bank shall give 60 days' prior written notice to the division of the universal bank's intention to exercise a power under this section.

(3) EXERCISE OF FEDERAL POWERS THROUGH A SUBSIDIARY. The division may require that certain powers exercisable by universal banks under this section be exercised through a subsidiary of the universal bank with appropriate safeguards to limit the risk exposure of the universal bank.

222.0403 Loan powers. (1) PERMITTED PURPOSES. A universal bank may make, sell, purchase, arrange, participate in, invest in or otherwise deal in loans or extensions of credit for any purpose.

(2) IN GENERAL. Except as provided in subs. (3) to (8), the total liabilities of any person, other than a municipal corporation, to a universal bank for a loan or extension of credit may not exceed 20% of the capital of the universal bank at any time. In determining compliance with this section, liabilities of a partnership includes the liabilities of the general partners, computed individually as to each general partner on the basis of his or her direct liability.

(3) CERTAIN SECURED LIABILITIES. The percentage limitation under sub. (2) is 50% of the universal bank's capital, if the liabilities under sub. (2) are limited to the following types of liabilities:

(a) *Warehouse receipts.* A liability secured by warehouse receipts issued by warehouse keepers who are licensed and bonded in this state under ss. 99.02 and

99.03 or under the federal Bonded Warehouse Act or who hold a registration certificate under ch. 127, if all of the following requirements are met:

1. The receipts cover readily marketable nonperishable staples.

2. The staples are insured, if it is customary to insure the staples.

3. The market value of the staples is not, at any time, less than 140% of the face amount of the obligation.

(b) *Certain bonds or notes.* A liability in the form of a note or bond that meets any of the following qualifications:

1. The note or bond is secured by not less than a like amount of bonds or notes of the United States issued since April 24, 1917, or certificates of indebtedness of the United States.

2. The note or bond is secured or covered by guarantees or by commitments or agreements to take over, or to purchase, the bonds or notes, and the guarantee, commitment or agreement is made by a federal reserve bank, the federal small business administration, the federal department of defense or the federal maritime commission.

3. The note or bond is secured by mortgages or trust deeds insured by the federal housing administration.

(4) OBLIGATIONS OF LOCAL GOVERNMENTAL UNITS. (a) *Definition.* In this subsection, "local governmental unit" has the meaning given in s. 16.97 (7).

(b) *General limitation.* Except as otherwise provided in this subsection, the total liabilities of a local governmental unit to a universal bank for money borrowed may not, at any time, exceed 25% of the capital of the universal bank.

(c) *Revenue obligations.* Liabilities in the form of revenue obligations of a local governmental unit are subject to the limitations provided in par. (b). In addition, a

universal bank is permitted to invest in a general obligation of that local governmental unit in an amount that will bring the combined total of the general obligations and revenue obligations of a single local governmental unit to a sum not in excess of 50% of the capital of the universal bank.

(d) *General obligations.* If the liabilities of the local governmental unit are in the form of bonds, notes or other evidences of indebtedness that are a general obligation of a local governmental unit, the total liability of the local governmental unit may not exceed 50% of the capital of the universal bank.

(e) *Temporary borrowings.* The total amount of temporary borrowings of any local governmental unit maturing within one year after the date of issue may not exceed 60% of the capital of the universal bank. Temporary borrowings and longer–term general obligation borrowings of a single local governmental unit may be considered separately in determining compliance with this subsection.

(5) OBLIGATIONS OF CERTAIN INTERNATIONAL ORGANIZATIONS; OTHER FOREIGN BONDS. A universal bank may purchase bonds offered for sale by the International Bank for Reconstruction and Development and the Inter–American Development Bank or such other foreign bonds as may be approved under rules established by the division. At no time shall the aggregate investment in any of these bonds issued by a single issuer exceed 10% of the capital of the universal bank.

(6) FOREIGN NATIONAL GOVERNMENT BONDS. A universal bank may purchase general obligation bonds issued by any foreign national government if the bonds are payable in United States funds. The aggregate investment in these foreign bonds may not exceed 3% of the capital of the universal bank, except that this limitation does not apply to bonds of the Canadian government and Canadian provinces that are payable in United States funds.

(7) LIMITS ESTABLISHED BY BOARD. (a) *When financial statements required.* A universal bank may not make or renew a loan or loans, the aggregate total of which exceeds the level established by the board of directors without being supported by a signed financial statement of the borrower, unless the loan is secured by collateral having a value in excess of the amount of the loan. A signed financial statement furnished by the borrower to a universal bank in compliance with this paragraph must be renewed annually as long as the loan or any renewal of the loan remains unpaid and is subject to this paragraph.

(b) *Treatment of loans complying with limits.* A loan or a renewal of a loan made by a universal bank in compliance with par. (a), without a signed financial statement, may be treated by the universal bank as entirely independent of any secured loan made to the same borrower if the loan does not exceed the limitations provided in this section.

(8) EXCEPTIONS. This section does not apply to any of the following:

(a) *Liabilities secured by certain short–term federal obligations.* A liability that is secured by not less than a like amount of direct obligations of the United States which will mature not more than 18 months after the date on which such liabilities to the universal bank are entered into.

(b) *Certain federal and state obligations or guaranteed obligations.* A liability that is a direct obligation of the United States or this state, or an obligation of any governmental agency of the United States or this state, that is fully and unconditionally guaranteed by the United States or this state.

(c) *Commodity Credit Corporation liabilities.* A liability in the form of a note, debenture or certificate of interest of the Commodity Credit Corporation.

(d) *Discounting bills of exchange or business or commercial paper.* A liability created by the discounting of bills of exchange drawn in good faith against actually existing values or the discounting of commercial or business paper actually owned by the person negotiating the same.

(e) *Certain other federal or federally guaranteed obligations.* In obligations of, or obligations that are fully guaranteed by, the United States and in obligations of any federal reserve bank, federal home loan bank, the Student Loan Marketing Association, the Government National Mortgage Association, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Export–Import Bank of Washington or the Federal Deposit Insurance Corporation.

(9) ADDITIONAL AUTHORITY. (a) *In general.* In addition to the authority granted under subs. (1) to (8), and except as provided in par. (b), a universal bank may lend under this subsection, through the universal bank or subsidiary of the universal bank, to all borrowers from the universal bank and all of its subsidiaries, an aggregate amount not to exceed 20% of the universal bank's capital. Neither a universal bank nor any subsidiary of the universal bank may lend to any borrower, under this subsection and any other law or rule, an amount that would result in an aggregate amount for all loans to that borrower that exceeds 20% of the universal bank's capital. A universal bank or its subsidiary may take an equity position or other form of interest as security in a project funded through such loans. Every transaction by a universal bank or its subsidiary under this subsection shall require prior approval by the governing board of the universal bank or its subsidiary, respectively. Such loans are not subject to s. 221.0326 or to classification as losses, for a period of 3 years from the date of each loan except as provided in par. (b).

(b) *Suspension of additional authority.* The division may suspend authority established under this subsection and, in such case, may specify how an outstanding loan shall be treated by the universal bank or its subsidiary. Among the factors that the division may consider in suspending authority under this subsection are the universal bank's capital adequacy, asset quality, earnings quantity, earnings quality, adequacy of liquidity and sensitivity to market risk and the ability of the universal bank's management.

222.0405 Investment powers. (1) INVESTMENT SECURITIES. Except as provided in subs. (3) to (8), a universal bank may purchase, sell, underwrite and hold investment securities, consistent with safe and sound banking practices, up to 100% of the universal bank's capital. A universal bank shall not invest greater than 20% of the universal bank's capital in the investment securities of one obligor or issuer. In this subsection, "investment securities" includes commercial paper, banker's acceptances, marketable securities in the form of bonds, notes, debentures and similar instruments that are regarded as investment securities.

(2) EQUITY SECURITIES. Except as provided in subs. (3) to (8), a universal bank may purchase, sell, underwrite and hold equity securities, consistent with safe and sound banking practices, up to 20% of capital or, if approved by the division in writing, a greater percentage of capital.

(3) HOUSING ACTIVITIES. With the prior written consent of the division, a universal bank may invest in the initial purchase and development, or the purchase or commitment to purchase after completion, of home sites and housing for sale or rental, including projects for the reconstruction, rehabilitation or rebuilding of residential properties to meet the minimum standards of health and occupancy prescribed for a local governmental unit, the provision of accommodations for retail

stores, shops and other community services that are reasonably incident to that housing, or in the stock of a corporation that owns one or more of those projects and that is wholly owned by one or more financial institutions. The total investment in any one project may not exceed 15% of the universal bank's capital, nor may the aggregate investment under this subsection exceed 50% of capital. A universal bank may not make an investment under this subsection unless it is in compliance with the capital requirements set by the division under s. 222.0305 (1) and with the capital maintenance requirements of its deposit insurance corporation.

(4) PROFIT–PARTICIPATION PROJECTS. A universal bank may take equity positions in profit–participation projects, including projects funded through loans from the universal bank, in an aggregate amount not to exceed 20% of capital. The division may suspend the investment authority under this subsection. If the division suspends the investment authority under this subsection, the division may specify how outstanding investments under this subsection shall be treated by the universal bank or its subsidiary. Among the factors that the division may consider in suspending authority under this subsection are the universal bank's capital adequacy, asset quality, earnings quantity, earnings quality, adequacy of liquidity and sensitivity to market risk and the ability of the universal bank's management. This subsection does not authorize a universal bank, directly or indirectly through a subsidiary, to engage in the business of underwriting insurance.

(5) DEBT INVESTMENTS. A universal bank may invest in bonds, notes, obligations and liabilities described under s. 222.0403 (3) to (7), subject to the limitations under those subsections.

(6) CERTAIN LIABILITIES. This section does not limit investment in the liabilities described in s. 222.0403 (8).

(7) CERTAIN INVESTMENTS. A universal bank may invest without limitation in any of the following:

(a) *Business development corporations.* Stocks or obligations of a corporation organized for business development by this state or by the United States or by an agency of this state or the United States.

(b) *Urban renewal investment corporations.* Obligations of an urban renewal investment corporation organized under the laws of this state or of the United States.

(c) *Certain bank insurance companies.* An equity interest in an insurance company or an insurance holding company organized to provide insurance for universal banks and for persons affiliated with universal banks, solely to the extent that this ownership is a prerequisite to obtaining directors' and officers' insurance or blanket bond insurance for the universal bank through the company.

(d) *Certain remote service unit corporations.* Shares of stock, whether purchased or otherwise acquired, in a corporation acquiring, placing and operating remote service units under s. 214.04 (21) or 215.13 (46) or bank communications terminals under s. 221.0303 (2).

(e) *Service corporations.* Equity or debt securities or instruments of a service corporation subsidiary of the universal bank.

(f) *Federal funds.* Advances of federal funds.

(g) *Certain risk management financial products.* With the prior written approval of the division, financial futures transactions, financial options transactions, forward commitments or other financial products for the purpose of reducing, hedging or otherwise managing its interest rate risk exposure.

(h) *Certain fiduciaries.* A subsidiary organized to exercise corporate fiduciary powers under ch. 112.

(i) *Agricultural credit corporations.* An agricultural credit corporation. Unless a universal bank owns at least 80% of the stock of the agricultural credit corporation, a universal bank may not invest more than 20% of the universal bank's capital in the agricultural credit corporation.

(j) *Deposit accounts and insured obligations.* Deposit accounts or insured obligations of any financial institution, the accounts of which are insured by a deposit insurance corporation.

(k) *Certain federal obligations.* Obligations of, or obligations that are fully guaranteed by, the United States and stocks or obligations of any federal reserve bank, federal home loan bank, the Student Loan Marketing Association, the Government National Mortgage Association, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation or the Federal Deposit Insurance Corporation.

(L) *Other investments.* Any other investment authorized by the division.

(8) INVESTMENTS IN OTHER FINANCIAL INSTITUTIONS. In addition to the authority granted under ss. 222.0307 and 222.0409, and subject to the limitations of sub. (2), a universal bank may invest in other financial institutions.

(9) INVESTMENTS THROUGH SUBSIDIARIES. A universal bank may make investments under this section, directly or indirectly through a subsidiary, unless the division determines that an investment shall be made through a subsidiary with appropriate safeguards to limit the risk exposure of the universal bank.

222.0407 Universal bank purchase of its own stock. (1) IN GENERAL. A universal bank may hold or purchase not more than 10% of its capital stock, notes or debentures, except as provided in sub. (2) or (3).

(2) DIVISION APPROVAL. A universal bank may hold or purchase more than 10% of its capital stock, notes or debentures, if approved by the division.

(3) ADDITIONAL AUTHORITY. A universal bank may hold or purchase more than 10% of its capital stock, notes or debentures if the purchase is necessary to prevent loss upon a debt previously contracted in good faith. Stock, notes or debentures held or purchased under this subsection may not be held by the universal bank for more than 6 months if the stock, notes or debentures can be sold for the amount of the claim of the universal bank against the holder of the debt previously contracted. The universal bank shall either sell the stock, notes or debentures within 12 months of acquisition under this subsection or shall cancel the stock, notes or debentures. Cancellation of the stock, notes or debentures reduces the amount of the universal bank's capital stock, notes or debentures. If the reduction reduces the universal bank's capital below the minimum level required by the division, the universal bank shall increase its capital to the amount required by the division.

(4) LOANS SECURED BY CAPITAL, SURPLUS OR DEPOSITS. A universal bank may not loan any part of its capital, surplus or deposits on its own capital stock, notes or debentures as collateral security, except that a universal bank may make a loan secured by its own capital stock, notes or debentures to the same extent that the universal bank may make a loan secured by the capital stock, notes and debentures of a holding company for the universal bank.

222.0409 Stock in bank–owned banks. With the approval of the division, a universal bank may acquire and hold stock in one or more banks chartered under s. 221.1202 or national banks chartered under 12 USC 27 (b) or in one or more holding companies wholly owning such a bank. Aggregate investments under this section may not exceed 10% of the universal bank's capital.

222.0411 General deposit powers. (1) IN GENERAL. A universal bank may set eligibility requirements for, and establish the types and terms of, deposits that the universal bank solicits and accepts. The terms set under this subsection may include minimum and maximum amounts that the universal bank may accept and the frequency and computation method of paying interest.

(2) PLEDGE OF SECURITY FOR DEPOSITS. Subject to the limitations of s. 221.0324 that are applicable to banks, a universal bank may pledge its assets as security for deposits.

(3) SECURITIZATION OF ASSETS. With the approval of the division, a universal bank may securitize its assets for sale to the public. The division may establish procedures governing the exercise of authority granted under this subsection.

(4) SAFE DEPOSIT POWERS. A universal bank may take and receive, from any individual or corporation for safekeeping and storage, gold and silver plate, jewelry, money, stocks, securities, and other valuables or personal property; and rent out the use of safes or other receptacles upon its premises upon such compensation as may be agreed upon. A universal bank has a lien for its charges on any property taken or received by it for safekeeping. If the lien is not paid within 2 years from the date the lien accrues, or if property is not called for by the person depositing the property, or by his or her representative or assignee, within 2 years from the date the lien accrues, the universal bank may sell the property at public auction. A universal bank shall provide the same notice for a sale under this subsection that is required by law for sales of personal property on execution. After retaining from the proceeds of the sale all of the liens and charges due the bank and the reasonable expenses of the sale, the universal bank shall pay the balance to the person depositing the property, or to his or her representative or assignee.

222.0413 Other service and incidental activity powers. (1) NECESSARY OR CONVENIENT POWERS. Unless otherwise prohibited or limited by this chapter, a universal bank may exercise all powers necessary or convenient to effect the purposes for which the universal bank is organized or to further the businesses in which the universal bank is lawfully engaged.

(2) REASONABLY RELATED POWERS. (a) Subject to any applicable state or federal regulatory or licensing requirements, a universal bank may engage, directly or indirectly through a subsidiary, in activities reasonably related or incident to the purposes of the universal bank. Activities reasonably related or incident to the purposes of the universal bank are those activities that are part of the business of financial institutions, or closely related to the business of financial institutions, or convenient and useful to the business of financial institutions, or reasonably related or incident to the operation of financial institutions or are financial in nature. Activities that are reasonably related or incident to the purposes of a universal bank include the following:

1. Business and professional services.
2. Data processing.
3. Courier and messenger services.
4. Credit–related activities.
5. Consumer services.
6. Real estate–related services, including real estate brokerage services.
7. Insurance and related services, other than insurance underwriting.
8. Securities brokerage.
9. Investment advice.
10. Securities and bond underwriting.

11. Mutual fund activities.

12. Financial consulting.

13. Tax planning and preparation.

14. Community development and charitable activities.

15. Debt cancellation contracts.

16. Any activities reasonably related or incident to activities under subds. 1. to 15.

(b) An activity that is authorized by statute or regulation for financial institutions to engage in as of the effective date of this paragraph .... [revisor inserts date], is an activity that is reasonably related to or incident to the purposes of a universal bank. An activity permitted under the Bank Holding Company Act is an activity that is reasonably related to or incident to the purposes of a universal bank. The list of activities reasonably related or incident to the purposes of a universal bank may be expanded by the division. Any additional activity approved by the division shall be authorized for all universal banks.

(3) NOTICE REQUIREMENT. A universal bank shall give 60 days' prior written notice to the division of the universal bank's intention to engage in an activity under this section.

(4) STANDARDS FOR DENIAL. The division may deny the authority of a universal bank to engage in an activity under this section, other than those activities described in sub. (2) (a) 1. to 16., if the division determines that the activity is not an activity reasonably related or incident to the purposes of a universal bank, that the financial institution is not well–capitalized or adequately capitalized, that the financial institution is the subject of an enforcement action or that the financial institution does not have satisfactory management expertise for the proposed activity.

(5) INSURANCE INTERMEDIATION. A universal bank, or an officer or salaried employe of a universal bank, may obtain a license as an insurance intermediary, if otherwise qualified. A universal bank may not, directly or indirectly through a subsidiary, engage in the business of underwriting insurance.

(6) OTHER ACTIVITIES APPROVED BY THE DIVISION. A universal bank may engage in any other activity that is approved by rule of the division.

(7) ACTIVITIES PROVIDED THROUGH A SUBSIDIARY. A universal bank may engage in activities under this section, directly or indirectly through a subsidiary, unless the division determines that an activity must be conducted through a subsidiary with appropriate safeguards to limit the risk exposure of the universal bank.

(8) LIMITATIONS ON INVESTMENTS THROUGH SUBSIDIARIES. The amount of the investment in any one subsidiary that engages in an activity under this section may not exceed 20% of capital or, if approved by the division, a higher percentage authorized by the division. The aggregate investment in all subsidiaries that engage in an activity under this subsection may not exceed 50% of capital or, if approved by the division, a higher percentage authorized by the division.

(9) OWNERSHIP OF SUBSIDIARIES. A subsidiary that engages in an activity under this section may be owned jointly, with one or more other financial institutions, individuals or entities.

222.0415 Trust powers. Subject to rules of the division, a universal bank may exercise trust powers in accordance with s. 221.0316.

SECTION 2347. 223.105 (3) (a) of the statutes is amended to read:

223.105 **(3)** (a) To assure compliance with such rules as may be established under s. 220.04 (7) the division of banking, the office of credit unions and the division of savings ~~and loan~~ <u>institutions</u> shall, at least once every 18 months, examine the

fiduciary operations of each organization which is under its respective jurisdiction and is subject to examination under sub. (2). If a particular organization subject to examination under sub. (2) is not otherwise under the jurisdiction of one of the foregoing agencies, such examination shall be conducted by the division of banking.

SECTION 2348. 223.105 (4) of the statutes is amended to read:

223.105 **(4)** NOTICE OF FIDUCIARY OPERATION. Except for those organizations licensed under ch. 221 or this chapter, any organization engaged in fiduciary operations as defined in this section shall, as required by rule, notify the division of banking, the office of credit unions or the division of savings ~~and loan~~ institutions of that fact, directing the notice to the agency then exercising regulatory authority over the organization or, if there is none, to the division of banking. Any organization which intends to engage in fiduciary operations shall, prior to engaging in such operations, notify the appropriate agency of this intention. The notifications required under this subsection shall be on forms and contain information required by the rules promulgated by the division of banking.

SECTION 2349. 223.105 (5) of the statutes is amended to read:

223.105 **(5)** ENFORCEMENT REMEDY. The division of banking or the division of savings ~~and loan~~ institutions or office of credit unions shall upon the failure of such organization to submit notifications or reports required under this section or otherwise to comply with the provisions of this section, or rules established by the division of banking under s. 220.04 (7), upon due notice, order such defaulting organization to cease and desist from engaging in fiduciary activities and may apply to the appropriate court for enforcement of such order.

SECTION 2350. 223.105 (6) of the statutes is amended to read:

223.105 **(6)** SUNSET. Except for an organization regulated by the office of credit unions or the division of savings ~~and loan~~ institutions or an organization authorized by the division of banking to operate as a bank or trust company under ch. 221 or this chapter, an organization may not begin activity as a fiduciary operation under this section after May 12, 1992. An organization engaged in fiduciary operations under this section on May 12, 1992, may continue to engage in fiduciary operations after that date.

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)** ACCESS AND USE OF COMPUTER DATABASES AND SYSTEMS. The department may charge members of the public a fee for accessing or using the department's databases or computer systems.

SECTION 2354. 227.01 (13) (zL) of the statutes is created to read:

227.01 **(13)** (zL) Prescribes conditions of participation and terms of reimbursement of providers under s. 49.45 (2) (a) 9.

SECTION 2355. 227.01 (13) (zm) of the statutes is created to read:

227.01 **(13)** (zm) Establishes guidelines for the determination of medical necessity and appropriateness for the granting of prior authorization for medical assistance coverage of services under s. 49.46 or 49.47.

SECTION 2356. 227.14 (1s) of the statutes is created to read:

227.14 **(1s)** EXCEPTION; PREPARATION OF CERTAIN RULES BASED ON FEDERAL FOOD CODE. Notwithstanding sub. (1), if the department of agriculture, trade and

consumer protection or the department of health and family services prepares a proposed rule based on the model food code published by the federal food and drug administration, the proposed rule may be in the format of the model food code.

SECTION 2357. 227.52 (5) of the statutes is amended to read:

227.52 **(5)** Decisions of the division of savings ~~and loan~~ institutions.

SECTION 2358. 227.53 (1) (b) 4. of the statutes is amended to read:

227.53 **(1)** (b) 4. The savings and loan review board, the division of savings ~~and loan~~ institutions, except if the petitioner is the division of savings ~~and loan~~ institutions, the prevailing parties before the savings and loan review board shall be the named respondents.

SECTION 2359. 227.53 (1) (b) 5. of the statutes is amended to read:

227.53 **(1)** (b) 5. The savings bank review board, the division of savings ~~and loan~~ institutions, except if the petitioner is the division of savings ~~and loan~~ institutions, the prevailing parties before the savings bank review board shall be the named respondents.

SECTION 2360. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this subdivision does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

SECTION 2361. 230.08 (2) (e) 6. of the statutes is amended to read:

230.08 **(2)** (e) 6. Workforce development — ~~8~~ 7.

SECTION 2362. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this subdivision does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

SECTION 2363. 230.08 (2) (u) of the statutes is repealed.

SECTION 2364. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, this paragraph does not apply on and after the effective date of the last license transferred .... [revisor inserts date].

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 2366. 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 2367. 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 and the board of regents of the University of Wisconsin System to the corporation described under s. 39.81, on and after the effective date of the last license transferred .... [revisor inserts date], "board" in par. (a) means the investment board, public defender board and technical college system board.

SECTION 2368. 233.24 of the statutes is created to read:

233.24 Limitations on issuance of bonds. Beginning on the effective date of this section .... [revisor inserts date], the authority may not issue bonds for the purpose of purchasing a clinic, as defined in s. 287.07 (7) (c) 1. a., or a hospital, as defined in s. 50.33 (2) (a).

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~~ $90,000,000. 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~~ $90,000,000 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 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 2372. 234.51 (2) (b) of the statutes is amended to read:

234.51 **(2)** (b) For transfer~~, upon request, to the secretary of administration for deposit in the state general fund~~ to the Wisconsin development reserve fund under s. 234.93, to the extent that the chairperson of the authority certifies that such funds are no longer required for the program.

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 2376. 234.64 of the statutes is created to read:

234.64 Biotechnology development finance company. (1) In this section:

(a) "Biotechnology" means technology related to life sciences.

(b) "Capital participation instrument" means all of the following:

1. Any of the following or an option or other right to acquire any of the following:

a. Common or preferred capital stock.

b. Convertible securities.

c. Evidences of long–term or short–term indebtedness.

d. Warrants.

e. Subscriptions.

f. Partnership or membership interests.

2. Royalties or other lawful derivations of a capital participation instrument listed under subd. 1.

(c) "Cost of a project" means costs associated with the design, planning and implementation of a project that, in accordance with sound business and financial practices, are appropriate charges to the project. The costs may include the costs of

planning and design, options to buy land, feasibility or other studies, equipment, seed money, construction, working capital and any other costs determined by the biotechnology development finance company to be necessary to the purposes of this section.

(d) "Project" means commercial, industrial or other economic activity that is undertaken by a biotechnology company in this state.

(2) (a) The authority may organize and maintain a biotechnology development finance company as a nonstock, nonprofit corporation under ch. 181 for the exclusive purpose of investing in new or existing biotechnology companies in this state.

(b) Subject to par. (c), the biotechnology development finance company may purchase a capital participation instrument of a project. The biotechnology development finance company shall ensure that all of the following apply with respect to a project before any investment is made in the project:

1. The biotechnology company has certified that the project plans conform to all applicable environmental, zoning, building, planning or sanitation laws.

2. There is a reasonable expectation that the biotechnology company will be successful.

3. Private industry has not provided sufficient capital required for the project.

4. The investment is necessary to the successful completion of the proposed project because other investment in the project is unavailable in the traditional capital markets, or because capital has been offered on terms that would preclude the success of the project.

5. Provision has been made by contract for adequate reporting of financial data by the project to the biotechnology development finance company. Those provisions

may include a requirement for an annual or other periodic audit of the project's financial records.

6. The proceeds of the purchase will be used solely in connection with the costs of the project.

7. The biotechnology company is able to manage its project responsibilities.

(c) 1. The biotechnology development finance company may not own more than 49% of the voting stock or other interest in any enterprise as a result of a purchase under par. (b).

2. The total investment by the biotechnology development finance company in any one biotechnology company may not exceed $200,000.

(d) The findings made by the biotechnology development finance company with respect to whether a project meets the conditions under par. (b) 1. to 7. are conclusive.

(3) The authority shall enter into a contract with the biotechnology development finance company. The contract shall provide that the authority may make use of the services of the biotechnology development finance company and that the authority shall advise, assist and provide administrative services to the biotechnology development finance company. The authority shall determine the type and scope of any administrative services provided by the authority to the biotechnology development finance company. The authority may assign employes or contract with private or state agencies to perform the administrative services. The biotechnology development finance company may not engage in political activities.

(4) (a) The board of directors of the biotechnology development finance company shall consist of all of the following members:

1. The executive director of the authority, or his or her designee.

2. The secretary of commerce, or his or her designee.

3. The secretary of administration, or his or her designee.

4. The executive director of the investment board, or his or her designee.

5. The president of the University of Wisconsin System, or his or her designee.

6. The president of Forward Wisconsin, Inc., or his or her designee.

7. A representative of the state's biotechnology research community.

8. A representative of the state's biotechnology industry.

9. A representative of the state's venture capital industry.

(b) The members under par. (a) 7. to 9. shall serve 5–year terms and the initial members under par. (a) 7. to 9. shall be appointed by the governor. The biotechnology development finance company, in its bylaws, shall specify the method for electing new members under par. (a) 7. to 9. and for filling vacancies.

(5) Annually, the biotechnology development finance company shall provide a report on its activities to the appropriate standing committees of each house of the legislature in the manner provided under s. 13.172 (3) and to the governor.

(6) The assets transferred to, and the assets and liabilities of, the biotechnology development finance company shall be separate from all other assets and liabilities of the state, of all political subdivisions of the state and of the authority. Neither the state, any political subdivision of the state nor the authority guarantees any obligation of or has any obligation to the biotechnology development finance company. Neither the state, any political subdivision of the state nor the authority is liable for any debt or liability of the biotechnology development finance company.

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 2378. 234.65 (3m) of the statutes is amended to read:

234.65 **(3m)** An economic development loan may not be made unless the department of commerce complies with sub. (1m) ~~and certifies that each loan complies with sub. (3)~~.

SECTION 2379. 234.65 (5) (intro.) of the statutes is amended to read:

234.65 **(5)** (intro.) On or before July 1, ~~1985~~ 2000, and every July 1 thereafter, the ~~department of commerce~~ authority shall submit to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), a report which shall address the effects of lending under this section in the following areas:

SECTION 2380. 234.83 (1) (intro.) of the statutes is amended to read:

234.83 **(1)** GUARANTEE REQUIREMENTS FOR SMALL BUSINESSES. (intro.) The authority may use money from the Wisconsin development reserve fund to guarantee a loan under ~~this section~~ sub. (4) (a) if all of the following apply:

SECTION 2381. 234.83 (1) (a) of the statutes is amended to read:

234.83 **(1)** (a) The borrower qualifies as an eligible borrower under sub. (2) (a) or (b).

SECTION 2382. 234.83 (1m) of the statutes is created to read:

234.83 **(1m)** GUARANTEE REQUIREMENTS FOR SMALL BUSINESSES AFFECTED BY GAMING. The authority may use money from the Wisconsin development reserve fund to guarantee a loan under sub. (4) (am) if all of the following apply:

(a) The borrower qualifies as an eligible borrower under sub. (2) (c).

(b) The loan qualifies as an eligible loan under sub. (3).

(c) The lender enters into an agreement under s. 234.93 (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 2384. 234.83 (2) (c) of the statutes is created to read:

234.83 **(2)** (c) A business to which the conditions under par. (a) 1., 2. and 3. apply and that is located in a county in this state, or in a county in this state that is adjacent to a county in this state, in which is located a casino that is operated by a federally recognized American Indian tribe or band in this state.

SECTION 2385. 234.83 (4) (am) of the statutes is created to read:

234.83 **(4)** (am) Subject to par. (b), the authority may guarantee repayment of an amount of the principal of any loan eligible for a guarantee under sub. (1m). The amount that may be guaranteed may not exceed 100% of the principal of the loan or $200,000, whichever is less. The authority shall establish the amount of the

principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under s. 234.93 (2) (a). The authority may establish a single amount for all guaranteed loans that do not exceed $200,000 and a single amount for all guaranteed loans that exceed $200,000 or establish on an individual basis different amounts for eligible loans that do not exceed $200,000 and different amounts for eligible loans that exceed $200,000.

SECTION 2386. 234.83 (4) (b) of the statutes is amended to read:

234.83 **(4)** (b) Except as provided in s. 234.93 (3), the total outstanding guaranteed principal amount of all loans that the authority may guarantee under ~~par. (a)~~ this section may not exceed ~~$9,900,000~~ $21,150,000.

SECTION 2387. 234.83 (5) of the statutes is created to read:

234.83 **(5)** INTEREST SUBSIDY FOR BUSINESSES AFFECTED BY GAMING. Annually, from the Wisconsin development reserve fund, the authority may pay a financial institution that makes a loan to a borrower under sub. (2) (c) that is guaranteed under sub. (4) (am) an amount equal to up to 3.5% of the outstanding balance of the loan.

SECTION 2388. 234.88 (3) (b) of the statutes is amended to read:

234.88 **(3)** (b) Except as provided in s. 234.93 (3), the total outstanding principal amount of all guaranteed loans under par. (a) may not exceed ~~$22,500,000~~ $11,250,000.

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 2394. 234.93 (1) (cm) of the statutes is created to read:

234.93 **(1)** (cm) Any moneys transferred under s. 234.51 (2) (b), or under 1999 Wisconsin Act .... (this act), section 9125 (1), from the housing rehabilitation loan program administration fund.

SECTION 2395. 234.93 (1) (f) of the statutes is created to read:

234.93 **(1)** (f) To be used for guaranteeing loans under s. 234.83 (4) (am) and paying interest subsidies under s. 234.83 (5), moneys appropriated to the authority under s. 20.490 (5) (kp).

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 2399. 236.16 (3) (d) (intro.) of the statutes is amended to read:

236.16 **(3)** (d) (intro.) All of the owners of all of the land adjacent to a public access established under par. (a) to an inland lake, as defined in s. 30.92 (1) (bk), may petition the city, village, town or county that owns the public access to construct shoreline erosion control measures. Subject to par. (e), the city, village, town or county shall construct the requested shoreline erosion control measures or request the department of natural resources to determine the need for shoreline erosion control measures. Upon receipt of a request under this paragraph from a city, village, town or county, the department of natural resources shall follow the procedures in ~~s. 30.02 (3) and (4)~~ sub. (3m). Subject to par. (e), the city, village, town or county shall construct shoreline erosion control measures as required by the department of natural resources if the department of natural resources determines all of the following:

SECTION 2400. 236.16 (3m) of the statutes is created to read:

236.16 **(3m)** NOTICE AND HEARING REQUIREMENTS. (a) Upon receipt of a request for a determination under sub. (3) (d), the department of natural resources shall either order a public hearing or provide notice stating that it will proceed on the request without a hearing if, within 30 days after the publication of the notice, no request for a hearing concerning the determination under sub. (3) (d) is received. The department of natural resources shall provide the notice to the clerk of each municipality in which the proposed shoreline erosion control measures are located and to any other person required by law to receive notice. The department of natural resources may provide notice to other persons as it considers appropriate. The department of natural resources shall provide a copy of the notice to the city, village,

town or county that requested the determination. The city, village, town or county shall publish it as a class 1 notice under ch. 985 in a newspaper designated by the department that is likely to give notice in the area affected. The city, village, town or county shall file proof of publication with the department of natural resources.

(b) If the department of natural resources orders a public hearing, the division of hearings and appeals shall mail a written notice at least 10 days before the hearing to each person given a copy of the notice under par. (a) and to each person requesting the hearing.

(c) The city, village, town or county requesting the determination shall publish a class 1 notice under ch. 985 of the public hearing in a newspaper designated by the department of natural resources that is likely to give notice in the area affected. The city, village, town or county shall file proof of publication under this paragraph with the hearing examiner at or prior to the hearing.

SECTION 2401. 252.07 (1) of the statutes is renumbered 252.07 (1m) and amended to read:

252.07 **(1m)** ~~Tuberculosis is a communicable disease caused by mycobacterium tuberculosis and is~~ Infectious tuberculosis and suspect tuberculosis are subject to the reporting requirements specified in s. 252.05. Any laboratory that ~~performs a test~~ receives a specimen for tuberculosis testing shall report all positive results obtained by any appropriate procedure, including a procedure performed by an out–of–state laboratory, to the local health officer and to the department.

SECTION 2402. 252.07 (1g) of the statutes is created to read:

252.07 **(1g)** In this section:

(a) "Infectious tuberculosis" means tuberculosis disease of the respiratory tract, capable of producing infection or disease in others as demonstrated by the

presence of acid–fast bacilli in the sputum or bronchial secretions or by chest radiograph and clinical findings.

(b) "Isolate" means a population of mycobacterium tuberculosis bacteria that has been obtained in pure culture medium.

(c) "Isolation" means the separation from other persons of a person with infectious tuberculosis in a place and under conditions that prevent the transmission of the infection.

(d) "Suspect tuberculosis" means an illness marked by symptoms and laboratory tests that may be indicative of tuberculosis, such as a prolonged cough, prolonged fever, hemoptysis, compatible roentgenographic findings or other appropriate medical imaging findings.

SECTION 2403. 252.07 (1p) of the statutes is created to read:

252.07 **(1p)** Any laboratory that performs primary culture for mycobacteria shall also perform organism identification for mycobacterium tuberculosis complex using an approved rapid testing procedure specified by the department by rule.

SECTION 2404. 252.07 (1t) of the statutes is created to read:

252.07 **(1t)** Any laboratory that identifies mycobacterium tuberculosis shall ensure that antimicrobial drug susceptibility tests are performed on the initial isolate. The laboratory shall report the results of these tests to the local health officer and the department.

SECTION 2405. 252.07 (2) of the statutes is amended to read:

252.07 **(2)** The department shall identify groups at risk for contracting or transmitting mycobacterium tuberculosis and shall recommend the protocol for screening members of those groups. ~~If necessary to prevent or control the transmission of mycobacterium tuberculosis, the department may promulgate rules~~

~~that require screening of members of specific groups that are at risk for contracting or transmitting mycobacterium tuberculosis.~~

SECTION 2406. 252.07 (4) of the statutes is repealed.

SECTION 2407. 252.07 (5) of the statutes is amended to read:

252.07 **(5)** Upon report of any person under sub. ~~(1)~~ (1m) or (1t), the local health officer shall at once investigate and make and enforce the necessary orders. If any person does not voluntarily comply with any order made by the local health officer with respect to that person, the local health officer or the department may order a medical evaluation, directly observed therapy or home isolation of that person.

SECTION 2408. 252.07 (7) of the statutes is repealed.

SECTION 2409. 252.07 (8) of the statutes is created to read:

252.07 **(8)** (a) The department or a local health officer may order the confinement to a facility of an individual who has a confirmed diagnosis of infectious tuberculosis or suspect tuberculosis if all of the following conditions are met:

1. The department or local health officer notifies a court in writing of the confinement.

2. The department or local health officer provides to the court a written statement from a physician that the individual has infectious tuberculosis or suspect tuberculosis.

3. The department or local health officer provides to the court evidence that the individual has refused to follow a prescribed treatment regimen or, in the case of an individual with suspect tuberculosis, has refused to undergo a medical examination to confirm whether the individual has infectious tuberculosis.

4. In the case of an individual with a confirmed diagnosis of infectious tuberculosis, the department or local health officer determines that the individual

poses an imminent and substantial threat to himself or herself or to the public health. The department or local health officer shall provide to the court a written statement of that determination.

(b) If the department or local health officer orders the confinement of an individual under this subsection, a law enforcement officer, or other person authorized by the local public health officer, shall transport the individual, if necessary, to a facility that the department or local health officer determines will meet the individual's need for medical evaluation, isolation and treatment.

(c) No individual may be confined under this subsection for more than 72 hours, excluding Saturdays, Sundays and legal holidays, without a court hearing under sub. (9) to determine whether the confinement should continue.

SECTION 2410. 252.07 (9) of the statutes is created to read:

252.07 **(9)** (a) The department or a local health officer may petition any court for a hearing to determine whether an individual with infectious or suspect tuberculosis should be confined for longer than 72 hours in a facility where proper care and treatment will be provided and spread of the disease will be prevented. The department or local health officer shall include in the petition documentation that demonstrates all of the following:

1. That the individual named in the petition has infectious tuberculosis; that the individual has noninfectious tuberculosis but is at high risk of developing infectious tuberculosis; or that the individual has suspect tuberculosis.

2. That the individual has failed to comply with the prescribed treatment regimen or with any rules promulgated by the department under sub. (11); or that the disease is resistant to the medication prescribed to the individual.

3. That all other reasonable means of achieving voluntary compliance with treatment have been exhausted and no less restrictive alternative exists; or that no other medication to treat the resistant disease is available.

4. That the individual poses an imminent and substantial threat to himself or herself or to the public health.

(b) The department or local health officer shall give the individual written notice of a hearing at least 48 hours before a scheduled hearing is to be held. Notice of the hearing shall include all of the following information:

1. The date, time and place of the hearing.

2. The grounds, and underlying facts, upon which confinement of the individual is being sought.

3. An explanation of the individual's rights specified under par. (d).

4. The proposed actions to be taken and the reasons for each action.

(c) If the court orders confinement of an individual under this subsection, the individual shall remain confined until the department or local health officer, with the concurrence of a treating physician, determines that treatment is complete or that the individual is no longer a substantial threat to himself or herself or to the public health. If the individual is to be confined for more than 6 months, the court shall review the confinement every 6 months.

(d) An individual who is the subject of a petition for a hearing under this subsection has the right to appear at the hearing, the right to present evidence and cross–examine witnesses and the right to be represented by adversary counsel. At the time of the filing of the petition the court shall assure that the individual who is the subject of the petition is represented by adversary counsel. If the individual claims or appears to be indigent, the court shall refer the individual to the authority

for indigency determinations specified under s. 977.07 (1). If the individual is a child, the court shall refer that child to the state public defender who shall appoint counsel for the child without a determination of indigency, as provided in s. 48.23 (4). Unless good cause is shown, a hearing under this subsection may be conducted by telephone or live audiovisual means, if available.

(e) An order issued by the court under this subsection may be appealed as a matter of right. An appeal shall be heard within 30 days after the appeal is filed. An appeal does not stay the order.

SECTION 2411. 252.07 (11) of the statutes is created to read:

252.07 **(11)** The department may promulgate any rules necessary for the administration and enforcement of this section, including, if necessary to prevent or control the transmission of mycobacterium tuberculosis, rules that require screening of members of specific groups that are at risk for contracting or transmitting mycobacterium tuberculosis.

SECTION 2412. 252.073 of the statutes is repealed.

SECTION 2413. 252.076 of the statutes is repealed.

SECTION 2414. 252.08 (1) of the statutes is repealed.

SECTION 2415. 252.08 (2) of the statutes is repealed.

SECTION 2416. 252.08 (3) of the statutes is renumbered 252.07 (10) and amended to read:

252.07 **(10)** Inpatient care for isolated pulmonary tuberculosis patients, and inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who are not eligible for federal medicare benefits, for medical assistance under subch. ~~V~~ IV of ch. 49 or for health care services funded by a relief block grant under subch. II of ch. 49 may be reimbursed if provided by a facility contracted by the department. If

the patient has private health insurance, the state shall pay the difference between health insurance payments and total charges.

SECTION 2417. 252.08 (4) of the statutes is repealed.

SECTION 2418. 252.08 (5) of the statutes is repealed.

SECTION 2419. 252.08 (6) of the statutes is repealed.

SECTION 2420. 252.09 of the statutes is repealed.

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 2431. 252.10 (7) of the statutes, as affected by 1997 Wisconsin Act 156, is amended to read:

252.10 **(7)** Drugs necessary for the treatment of mycobacterium tuberculosis shall be purchased by the department from the appropriation under s. 20.435 (5) (e) and dispensed to patients through the public health dispensaries ~~or through health care providers, as defined in s. 146.81 (1), other than massage therapists or bodyworkers issued a license of registration under subch. X of ch. 440, social workers, marriage and family therapists or professional counselors certified under ch. 457, speech–language pathologists or audiologists licensed under subch. II of ch. 459, speech and language pathologists licensed by the department of public instruction or dietitians certified under subch. V of ch. 448~~, local health departments, physicians or advanced practice nurse prescribers.

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 2433. 252.14 (1) (d) of the statutes is amended to read:

252.14 **(1)** (d) "Inpatient health care facility" means a hospital, nursing home, community–based residential facility, county home, county mental health complex~~,~~ ~~tuberculosis sanatorium~~ or other place licensed or approved by the department under ~~ss.~~ s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08~~,~~ or 51.09~~, 58.06, 252.073 and 252.076~~ or a facility under s. 45.365, 48.62, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

SECTION 2434. 252.15 (1) (ab) of the statutes is amended to read:

252.15 **(1)** (ab) "Affected person" means an emergency medical technician, first responder, fire fighter, peace officer, correctional officer, person who is employed at a secured correctional facility, as defined in s. 938.02 (15m), ~~or at~~ a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), state patrol officer, jailer or keeper of a jail or person designated with custodial authority by the jailer or keeper, health care provider, employe of a health care provider or staff member of a state crime laboratory.

SECTION 2435. 252.15 (2) (a) 7. a. of the statutes is amended to read:

252.15 **(2)** (a) 7. a. If all of the conditions under subd. 7. ai. to c. are met, an emergency medical technician, first responder, fire fighter, peace officer, correctional officer, person who is employed at a secured correctional facility, as defined in s. 938.02 (15m), ~~or at~~ a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), state patrol officer, jailer or

keeper of a jail or person designated with custodial authority by the jailer or keeper who, during the course of providing care or services to an individual; or a peace officer, correctional officer, state patrol officer, jailer or keeper of a jail or person designated with custodial authority by the jailer or keeper who, while searching or arresting an individual or while controlling or transferring an individual in custody; or a health care provider or an employe of a health care provider who, during the course of providing care or treatment to an individual or handling or processing specimens of body fluids or tissues of an individual; or a staff member of a state crime laboratory who, during the course of handling or processing specimens of body fluids or tissues of an individual; is significantly exposed to the individual may subject the individual's blood to a test or a series of tests for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV and may receive disclosure of the results.

SECTION 2436. 253.07 (4) (intro.) of the statutes is amended to read:

253.07 **(4)** FAMILY PLANNING SERVICES. (intro.) From the appropriation under s. 20.435 (5) ~~(f)~~ (cb), the department shall allocate funds in the following amounts, for the following services:

SECTION 2437. 253.08 of the statutes is amended to read:

253.08 Pregnancy counseling services. The department shall make grants from the appropriation under s. 20.435 (5) ~~(eg)~~ (cb) to individuals and organizations to provide pregnancy counseling services. For a program to be eligible under this section, an applicant must demonstrate that moneys provided in a grant under s. 20.435 (5) ~~(eg)~~ (cb) will not be used to engage in any activity specified in s. 20.9275 (2) (a) 1. to 3.

SECTION 2438. 253.085 (2) of the statutes is amended to read:

253.085 **(2)** In addition to the amounts appropriated under s. 20.435 (5) ~~(ev)~~ (cb), the department shall allocate $250,000 for each fiscal year from moneys received under the maternal and child health services block grant program, 42 USC 701 to 709, for the outreach program under this section.

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 2440. 253.12 of the statutes is repealed and recreated to read:

253.12 Birth defect prevention and surveillance system. (1) DEFINITIONS. In this section:

(a) "Birth defect" means any of the following conditions affecting an infant or child that occurs prior to or at birth and that requires medical or surgical intervention or interferes with normal growth and development:

1. A structural deformation, disruption or dysplasia.

2. A genetic, inherited or biochemical disease.

(b) "Pediatric specialty clinic" means a clinic the primary purpose of which is to provide pediatric specialty diagnostic, counseling and medical management services to persons with birth defects by physician subspecialist.

(c) "Infant or child" means a human being from birth to the age of 2 years.

(d) "Physician" has the meaning given in s. 448.01 (5).

(2) REPORTING. (a) Except as provided in par. (b), all of the following shall report in the manner prescribed by the department under sub. (3) (a) 3. a birth defect in an infant or child:

1. A hospital or pediatric specialty clinic in which the birth defect is diagnosed in an infant or child or treatment for the birth defect is provided to the infant or child.

2. A physician who diagnoses the birth defect or provides treatment to the infant or child for the birth defect.

3. A clinical laboratory that identifies a birth defect in the infant or child as the result of laboratory analysis.

(b) No person specified under par. (a) 1. to 3. need report under par. (a) if that person knows that another person specified under par. (a) 1. to 3. has already reported to the department the required information with respect to the same birth defect of the same infant or child.

(c) Upon request of the department, a physician, hospital or pediatric specialty clinic shall provide to the department information contained in the medical records of patients who have a confirmed or suspected birth defect diagnosis. The physician, hospital or pediatric specialty clinic shall provide that information within 10 working days after the department requests it.

(3) DEPARTMENT DUTIES AND POWERS. (a) The department shall do all of the following:

1. Establish and maintain an up–to–date registry that documents the diagnosis in this state of any infant or child who has a birth defect, regardless of the residence of the infant or child. The department shall include in the registry information that will facilitate all of the following:

a. Identification of risk factors for birth defects.

b. Investigation of the incidence, prevalence and trends of birth defects using epidemiological surveys.

c. Development of preventive strategies to decrease the occurrence of birth defects.

2. Specify by rule the birth defects the existence of which requires a report under sub. (2) to be submitted to the department.

3. Specify by rule the content, format and procedures for submitting a report under sub. (2).

(b) The department may monitor the data contained in the reports submitted under sub. (2) to ensure the quality of that data and to make improvements in reporting methods.

(4) COUNCIL ON BIRTH DEFECT PREVENTION AND SURVEILLANCE. The council on birth defect prevention and surveillance, created under s. 15.197 (12), shall make recommendations to the department regarding the establishment of a registry that documents the diagnosis and treatment in the state of an infant or child who has a birth defect, as required under sub. (3) (a) 1. and regarding the rules that the department is required to promulgate under sub. (3) (a) 2. and 3.

(5) CONFIDENTIALITY. (a) Any information contained in a report made to the department under sub. (2) that may specifically identify the subject of the report is

confidential. The department may not release that confidential information except to the following, under the following conditions:

1. The parent or guardian of an infant or child for whom a report is made under sub. (2).

2. A local health officer, upon receipt of a written request and informed written consent from the parent or guardian of the infant or child. The local health officer may disclose information received under this subdivision only to the extent necessary to render and coordinate follow–up care for the infant or child or to conduct a health, demographic or epidemiological investigation. The local health officer shall destroy all information received under this subdivision within one year after receiving it.

3. A physician, hospital or pediatric specialty clinic reporting under sub. (2), for the purpose of verification of information reported by the physician, hospital or pediatric specialty clinic.

4. A representative of a federal or state agency upon written request and to the extent that the information is necessary to perform a legally authorized function of that agency, including investigation of causes, mortality, methods of prevention, treatment or care of birth defects, associated diseases or disabilities. The information may not include the name or address of an infant or child with a condition reported under sub. (2). The department shall notify the parent or guardian of an infant or child about whom information is released under this subdivision, of the release. The representative of the federal or state agency may disclose information received under this paragraph only as necessary to perform the legally authorized function of that agency for which the information was requested.

(b) The department may also release confidential information to a person proposing to conduct research if all of the following conditions are met:

1. The person proposing to conduct the research applies in writing to the department for approval to perform the research and the department approves the application. The application for approval shall include a written protocol for the proposed research, the person's professional qualifications to perform the proposed research and any other information requested by the department.

2. The research is for the purpose of studying birth defects surveillance and prevention.

3. If the research will involve direct contact with a subject of a report made under sub. (2) or with any member of the subject's family, the department determines that the contact is necessary for meeting the research objectives and that the research is in response to a public health need or is for the purpose of or in connection with birth defects surveillance or investigations sponsored and conducted by public health officials. The department must also determine that the research has been approved by a certified institutional review board or a committee for the protection of human subjects in accordance with the regulations for research involving human subjects required by the federal department of health and human services for projects supported by that agency. Contact may only be made in a manner and method approved by the department.

4. The person agrees in writing that the information provided will be used only for the research approved by the department.

5. The person agrees in writing that the information provided will not be released to any person except other persons involved in the research.

6. The person agrees in writing that the final product of the research will not reveal information that may specifically identify the subject of a report made under sub. (2).

7. The person agrees in writing to any other conditions imposed by the department.

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~~ <u>of the following:</u>

(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~~ <u>is the state radiation control agency and</u> shall <u>do all of the following</u>:

SECTION 2457. 254.34 (1) (a) of the statutes is amended to read:

254.34 **(1)** (a) ~~Formulate, adopt and enforce, amend and repeal~~ <u>Promulgate and enforce</u> rules, including registration <u>and licensing</u> 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.

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 2486. 255.05 (1) (a) of the statutes is amended to read:

255.05 **(1)** (a) "Institution" means any hospital, nursing home, county home, county mental hospital, ~~tuberculosis sanatorium,~~ community–based residential facility or other place licensed or approved by the department under ~~ss.~~ s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08~~,~~ or 51.09~~, 58.06, 252.073 and 252.076~~.

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 2488. 281.165 of the statutes is created to read:

281.165 Compliance with water quality standards for wetlands. An activity shall be considered to comply with the water quality standards that are applicable to wetlands and that are promulgated as rules under s. 281.15 and is exempt from any prohibition, restriction, requirement, permit, license, approval, authorization, fee, notice, hearing, procedure or penalty specified under s. 29.601 (3) or chs. 30, 31, 281, 283, 289 to 292 or 299 or specified under any rule promulgated, order issued or ordinance adopted under any of those sections or chapters, if the activity meets all of the following requirements:

(1) The wetland area that will be affected by the activity is less than 15 acres in size.

(2) The site of the activity is zoned for industrial use and is in the vicinity of a manufacturing facility.

(3) The site of the activity is within the corporate limits of a city on January 1, 1999.

(4) The governing body of the city adopts a resolution stating that the exemption under this section is necessary to protect jobs that exist in the city on the date of the adoption of the resolution or is necessary to promote job creation.

(5) The site of the activity is located in Trempealeau County.

SECTION 2489. 281.17 (3) of the statutes is amended to read:

281.17 **(3)** The department shall promulgate rules establishing an examining program for the certification of operators of water systems, wastewater treatment plants and septage servicing vehicles operated under a license issued under s. 281.48 (3), setting such standards as the department finds necessary to accomplish the purposes of this chapter and chs. 285 and 289 to 299, including requirements for continuing education. The department may charge applicants a fee for certification. All moneys collected under this subsection for the certification of operators of water systems, wastewater treatment plants and septage servicing vehicles shall be credited to the appropriation under s. 20.370 (4) (bL). No person may operate a water systems, wastewater treatment plant or septage servicing vehicle without a valid certificate issued under this subsection. The department may suspend or revoke a certificate issued under this subsection for a violation of any statute or rule relating to the operation of a water system or wastewater treatment plant or to septage servicing~~,~~ <u>or</u> for failure to fulfill the continuing education requirements ~~or as~~

~~provided under s. 145.245 (3)~~. The owner of any wastewater treatment plant shall be, or shall employ, an operator certified under this subsection who shall be responsible for plant operations, unless the department by rule provides otherwise. In this subsection, "wastewater treatment plant" means a system or plant used to treat industrial wastewater, domestic wastewater or any combination of industrial wastewater and domestic wastewater.

SECTION 2490. 281.48 (5) (a) 4. of the statutes is amended to read:

281.48 **(5)** (a) 4. Violated any provisions of this section or any rule prescribed by the department ~~or falsified information on inspection forms under s. 145.245 (3)~~.

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 2496. 281.58 (7) (b) 7. of the statutes is repealed.

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 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 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 2506. 281.59 (1m) (c) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

281.59 **(1m)** (c) There is established a ~~private~~ small sewage system replacement and rehabilitation loan program, administered under s. 145.245 (12m).

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~~ $87,400,000 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 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~~ 18.561 (5) and (9) (j) or 18.562 (3) and (5) (e), 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 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 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~~ financial assistance agreement, 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 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 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 department and the department of administration may not charge 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 2522. 281.65 (5) (b) of the statutes is amended to read:

281.65 **(5)** (b) Prepare sections of the priority watershed or priority lake plan relating to farm–specific implementation schedules, requirements under ~~ss. 92.104 and~~ s. 92.105, animal waste management and selection of agriculturally related best management practices and submit those sections to the department for inclusion under sub. (4m) (b). The best management practices shall be cost–effective best management practices, as specified under sub. (4) (e), except in situations in which 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 2523. 281.65 (5) (d) of the statutes is amended to read:

281.65 **(5)** (d) Develop a grant disbursement and project management schedule for agriculturally related best management practices to be included in a plan established under sub. (4) (g) and identify recommendations for implementing activities or projects under ss. 92.10~~, 92.104~~ and 92.105.

SECTION 2524. 281.65 (5) (e) of the statutes is amended to read:

281.65 **(5)** (e) Identify areas within a priority watershed or priority lake area that are subject to activities required under ~~ss. 92.104 and~~ s. 92.105.

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 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 <u>and contracts</u>.**

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~~ <u>2</u> 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 <u>quality of</u> natural <u>lake</u> 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 mill pond or 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 2552. 281.75 (6) (a) of the statutes is amended to read:

281.75 **(6)** (a) Contamination of a private water supply, as defined under sub. (1) (b) 1. or 2., is required to be established by analysis of at least 2 samples of water, taken at least 2 weeks apart, in a manner which assures the validity of the test results. The samples shall be tested by a laboratory accredited or certified under s. 299.11.

SECTION 2553. 283.31 (1) of the statutes is amended to read:

283.31 **(1)** The discharge of any pollutant into any waters of the state or the disposal of sludge from a treatment work by any person is unlawful unless such discharge or disposal is done under a permit issued by the department under this section or s. 283.33. The department may by rule exempt certain classes or categories of vessels and small sewage systems, as defined in s. 145.01 (14m), from this section. Except as provided in s. 283.33, the department may require only one permit for a publicly owned treatment or collection facility or system, regardless of the number of point sources from such facility or system.

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 2555. 285.60 (3g) of the statutes is created to read:

285.60 **(3g)** GENERAL CONSTRUCTION PERMITS. The department may promulgate rules specifying types of stationary sources that may obtain general construction permits. A general construction permit may cover numerous similar stationary sources. A general construction permit shall require any stationary source that is covered by the general construction permit to comply with ss. 285.61 to 285.69. The department shall issue a general construction permit using the procedures and criteria in ss. 285.61, 285.63, 285.65, 285.66 and 285.69.

SECTION 2556. 285.69 (2) (c) (intro.) of the statutes is amended to read:

285.69 **(2)** (c) (intro.) The fees collected under ~~par.~~ pars. (a) and (e) shall be credited to the appropriations under s. 20.370 (2) (bg), (3) (bg), (8) (mg) and (9) (mh) for the following:

SECTION 2557. 285.69 (2) (e) of the statutes is created to read:

285.69 **(2)** (e) The owner or operator of a stationary source for which an operation permit is required shall pay to the department an annual facility fee based

on the total amount of actual emissions in the preceding year of all air contaminants on which the fee under par. (a) is based, if the total amount of those emissions is 5 tons or more. The amount of the fee is as follows:

1. If the total amount of emissions is at least 5 tons but does not exceed 25 tons, $50.

2. If the total amount of emissions exceeds 25 tons but does not exceed 100 tons, $650.

3. If the total amount of emissions exceeds 100 tons but does not exceed 250 tons, $2,000.

4. If the total amount of emissions exceeds 250 tons but does not exceed 4,000 tons, $7,000.

5. If the total amount of the emissions exceeds 4,000 tons, $20,000.

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 2565. 287.46 (4) of the statutes, as affected by 1997 Wisconsin Acts 27 and 1999 Wisconsin Act .... (this act), is repealed.

SECTION 2566. 287.46 (4) (a) of the statutes is amended to read:

287.46 **(4)** (a) ~~From the appropriations~~ Subject to par. (6), from the appropriation under s. 20.143 (1) (L) ~~and (tm)~~, the department of commerce shall provide financial assistance awarded by the board under this subchapter~~. Subject to par. (b), from the appropriation under s. 20.143 (1) (tm), the department of commerce shall~~ and pay contracts entered into by the board under s. 287.42 (3) and (3m).

SECTION 2567. 287.46 (4) (b) of the statutes is amended to read:

287.46 **(4)** (b) In any biennium, the department of commerce may not expend more than 10% of the amount ~~appropriated~~ credited to the appropriation account under s. 20.143 (1) ~~(tm) for~~ (L) in that biennium for contracts with and financial assistance to responsible units and other local units of government.

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 2569. 289.33 (7) (a) 1. of the statutes is amended to read:

289.33 **(7)** (a) 1. A town, city or village in which all or part of a facility is proposed to be located ~~shall~~ may appoint 4 members or the number of members appointed under subds. 1m. and 2. and sub. (7n) plus 2, whichever is greater, no more than 2 of whom are elected officials or municipal employes.

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. 234.88 (1) (a).

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 2590. 292.15 (2) (a) 7. of the statutes is created to read:

292.15 **(2)** (a) 7. If required by the department, the voluntary party obtains and maintains insurance to cover the costs of complying with s. 292.11 (3) in case it is discovered, after the department issues a certificate of completion under subd. 3., that the cleanup under subd. 2. fails to fully restore the environment or to minimize the effects from a discharge or that the hazardous substance that is the subject of the cleanup is more extensive than known before the department issues the certificate of completion, and the insurance complies with rules promulgated by the department and names the voluntary party and this state as insureds.

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 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 the voluntary party and this state as insureds.

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 is discovered after the environmental investigation under subd. 5. is approved and if all of the following apply:

1. An initial environmental investigation of 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.

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.

5. A 2nd environmental investigation of the property is conducted and is approved by the department.

6. The voluntary party has not obtained approval of the investigation under subd. 1. or 5. 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. or 5.

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. (a) 7. or (ae) 3m., the department may contract with an insurer to provide insurance required under par. (a) 7. or (ae) 3m. 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 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 a certificate of completion 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 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, engineering fees and, notwithstanding s. 814.04 (1), reasonable 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).

(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 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 who receives <u>or received</u> 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.~~<u>, any of the following:</u>

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 2623. 292.65 (4) (f) of the statutes is amended to read:

292.65 **(4)** (f) *Remedial action ~~plan~~ options report*. After completing the investigation under par. (e) and before conducting remedial action activities, an owner or operator shall prepare a remedial action ~~plan~~ options report, based on the investigation under par. (e), that identifies specific remedial action activities proposed to be conducted, except as provided in pars. (g) and (h).

SECTION 2624. 292.65 (4) (g) of the statutes is amended to read:

292.65 **(4)** (g) *Immediate action*. An owner or operator is not required to complete an investigation or prepare a remedial action ~~plan~~ options report before conducting an immediate action activity if the department determines that an immediate action is necessary.

SECTION 2625. 292.65 (4) (h) of the statutes is amended to read:

292.65 **(4)** (h) *Interim remedial equipment*. An owner or operator may install interim remedial equipment for which the owner or operator would be eligible for reimbursement under s. 292.66 before completing a site investigation or remedial action ~~plan~~ options report.

SECTION 2626. 292.65 (4) (i) of the statutes is amended to read:

292.65 **(4)** (i) *Review of site investigation and remedial action ~~plan~~ options report*. The department shall, at the request of an owner or operator, review the site investigation results and the remedial action ~~plan~~ options report and advise the owner or operator on the adequacy of the proposed remedial action activities in meeting the requirements of this section. The department shall complete the review of the site investigation and remedial action ~~plan~~ options report within 45 days. The department shall also provide an estimate of when funding will be available to pay

an award for remedial action conducted in response to the dry cleaning solvent discharge.

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 2630. 292.65 (7) (a) 3. of the statutes is amended to read:

292.65 **(7)** (a) 3. Preparation of remedial action ~~plans~~ options reports.

SECTION 2631. 292.65 (7) (a) 16. of the statutes is repealed.

SECTION 2632. 292.65 (7) (b) of the statutes is repealed.

SECTION 2633. 292.65 (7) (c) 4. of the statutes is amended to read:

292.65 **(7)** (c) 4. Costs that the department determines to be unreasonable or unnecessary to carry out the remedial action activities as specified in the remedial action ~~plan~~ options report.

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 2635. 292.65 (8) (a) (intro.) and 2. of the statutes are amended to read:

292.65 **(8)** (a) *Application.* (intro.) An owner or operator shall submit an application on a form provided by the department. An owner or operator may not submit an application before September 1, 1998. An owner or operator may not submit an application after August 30, 2003, if the application relates to a dry cleaning facility that ceased to operate before September 1, 1998. An owner or operator may not submit an application after August 20, 2008, if the application relates to any other dry cleaning facility. The department shall authorize owners and operators to apply for awards at stages in the process under sub. (4) that the department specifies by rule. An application shall include all of the following documentation of activities, ~~plans~~ reports and expenditures associated with the eligible costs incurred because of a dry cleaning solvent discharge from a dry cleaning facility:

2. A remedial action ~~plan~~ options report.

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 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 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 2645. 292.66 (1) of the statutes is amended to read:

292.66 **(1)** The department shall allocate 46% of the funds appropriated under s. 20.370 (6) (eq) in each fiscal year for awards to reimburse owners and operators for costs of preliminary site screening and the purchase and installation of equipment to begin the cleanup of discharges of dry cleaning solvent from dry cleaning facilities before the completion of full site investigations and remedial action ~~plans~~ options reports. The department may not make an award under this section before September 1, 1998, or after June 30, 2002.

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 2648. 292.70 of the statutes is created to read:

292.70 Indemnification for disposal of polychlorinated biphenyls. (1) DEFINITION. In this section, "PCBs" has the meaning given in s. 299.45 (1) (a).

(2) INDEMNIFICATION AGREEMENT WITH WINNEBAGO COUNTY. The department may enter into an agreement with Winnebago County under which this state agrees to indemnify the county and its agencies, officials, employes and agents against any liability or damage resulting from the county's acceptance for disposal of sediments contaminated with PCBs, if the sediments are disposed of in a manner approved by the department.

(3) INDEMNIFICATION AGREEMENT WITH THE CITY OF OSHKOSH. The department may enter into an agreement with the city of Oshkosh under which this state agrees to indemnify the city and its agencies, officials, employes and agents against any liability or damage resulting from the city's acceptance for treatment of leachate that is contaminated with PCBs and that is from a landfill that accepts sediments contaminated with PCBs, if the leachate is treated in a manner approved by the department.

(4) REVIEW AND PAYMENT. If a claim is filed under an agreement under sub. (2) or (3), the department shall review the claim to determine whether it is valid. A valid claim shall be paid from the appropriation under s. 20.370 (2) (fq).

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.

(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.

(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.

(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.

(8) REPAYMENT REQUIREMENT. If an applicant receives a loan under s. 281.60 for the purpose of conducting activities for which a grant under this section was

awarded, the applicant shall repay the grant to the department. Money collected under this subsection shall be deposited in the environmental fund.

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 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 2654. 299.07 (1) (a) 11. of the statutes is amended to read:

299.07 **(1)** (a) 11. A certification, accreditation or registration under s. 299.11.

SECTION 2655. 299.11 (1) (a) of the statutes is renumbered 299.11 (1) (am).

SECTION 2656. 299.11 (1) (ae) of the statutes is created to read:

299.11 **(1)** (ae) "Accredited" means accredited under sub. (8m) or recognized as accredited under sub. (5).

SECTION 2657. 299.11 (1) (b) of the statutes is amended to read:

299.11 **(1)** (b) "Certified ~~laboratory~~" means ~~a laboratory which performs tests for hire in connection with a covered program and which receives certification~~ certified under sub. (7) or ~~receives recognition~~ recognized as ~~a~~ certified ~~laboratory~~ under sub. (5).

SECTION 2658. 299.11 (1) (em) of the statutes is created to read:

299.11 **(1)** (em) "National Environmental Laboratory Accreditation Conference" means the voluntary association of state and federal officials, sponsored by the federal environmental protection agency, with the purpose of establishing national performance standards for environmental laboratories.

SECTION 2659. 299.11 (1) (eq) of the statutes is created to read:

299.11 **(1)** (eq) "National environmental laboratory accreditation program" means the program of the federal environmental protection agency that oversees the implementation of national performance standards established by the National Environmental Laboratory Accreditation Conference and determines whether to approve state and federal agencies as accrediting authorities for environmental laboratories.

SECTION 2660. 299.11 (1) (g) of the statutes is amended to read:

299.11 **(1)** (g) "Registered ~~laboratory~~" means ~~a laboratory which is~~ registered under sub. (8) or ~~receives recognition~~ recognized as ~~a~~ registered ~~laboratory~~ under sub. (5).

SECTION 2661. 299.11 (3) of the statutes is amended to read:

299.11 **(3)** CERTIFICATION STANDARDS REVIEW COUNCIL. The council shall review the laboratory certification ~~and~~, registration and accreditation program and shall make recommendations to the department concerning the specification of test categories, reference sample testing and standards for certification, registration, accreditation, suspension and revocation and other aspects of the program. Recommendations concerning accreditations shall be consistent with the standards established by the National Environmental Laboratory Accreditation Conference.

SECTION 2662. 299.11 (4) (title) and (a) of the statutes are amended to read:

299.11 **(4)** (title) DEPARTMENT MAY REQUIRE ACCREDITATION, CERTIFICATION OR REGISTRATION. (a) *Applicability.* Except as provided in subs. (5) and (6), if results from a test in a specified test category in a covered program are required to be submitted to the department, the department may require by rule that the test be conducted by a laboratory which is accredited, certified or registered to conduct tests in that specified category. The department may require that tests be conducted by ~~a~~ an

accredited or certified laboratory if the requirements for registration do not meet the requirements of an applicable federal law.

SECTION 2663. 299.11 (4) (c) of the statutes is amended to read:

299.11 **(4)** (c) *Delayed effective date.* A rule identifying specified test categories for which tests are required to be conducted by ~~a~~ an accredited, certified or registered laboratory may not take effect until at least 120 days after publication. The department may not require a person to resubmit results of tests which were not required to be conducted by ~~a~~ an accredited, certified or registered laboratory at the time of the original submission merely because of that fact.

SECTION 2664. 299.11 (5) (title) of the statutes is amended to read:

299.11 **(5)** (title) RECOGNITION OF OTHER ACCREDITATION, CERTIFICATION OR REGISTRATION.

SECTION 2665. 299.11 (5) (cm) of the statutes is created to read:

299.11 **(5)** (cm) *Reciprocity for national accreditation.* If the department is approved as an accrediting authority under sub. (8m) (a) and another accrediting authority under the national environmental laboratory accreditation program recognizes accreditation by the department under sub. (8m), the department shall recognize a laboratory as accredited to conduct tests in any test category for which the laboratory is accredited by that other accrediting authority.

SECTION 2666. 299.11 (5) (d) of the statutes is amended to read:

299.11 **(5)** (d) *Discretionary acceptance.* The department may accept the results of a test in a specified test category even though the test was not conducted by ~~a~~ an accredited, certified or registered laboratory. The department may charge an extra fee if it is necessary to verify the results of a test submitted under this paragraph.

SECTION 2667. 299.11 (6) of the statutes is amended to read:

299.11 **(6)** NOT APPLICABLE TO OTHER PROGRAMS. No laboratory is required to be accredited, registered or certified under this section for any purpose other than the submission of results under a covered program.

SECTION 2668. 299.11 (8m) of the statutes is created to read:

299.11 **(8m)** ACCREDITATION. (a) The department may apply to be approved as an accrediting authority under the national environmental laboratory accreditation program.

(b) If the department is approved as an accrediting authority under par. (a), the department shall, after considering recommendations by the council, promulgate a rule prescribing criteria to be used to evaluate laboratories for accreditation and the procedures for accrediting laboratories. The criteria shall be consistent with the standards established by the National Environmental Laboratory Accreditation Conference.

SECTION 2669. 299.11 (9) of the statutes is amended to read:

299.11 **(9)** FEES. The department shall promulgate by rule a graduated schedule of fees for accredited, certified and registered laboratories which are designed to recover the costs of administering this section.

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 2681. 299.15 (3) (cm) 2. of the statutes is amended to read:

299.15 **(3)** (cm) 2. In any fiscal year, the department may not charge total fees under par. (am) that exceed ~~$7,450,000~~ $7,925,000.

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 and except as provided in s. 285.86. 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 2683. 301.01 (2) (b) of the statutes is amended to read:

301.01 **(2)** (b) Any resident of a secured correctional facility, ~~as defined in s. 938.02 (15m), or of~~ a secured child caring institution~~, as defined in s. 938.02 (15g)~~ <u>or a secured group home</u>.

SECTION 2684. 301.01 (3k) of the statutes is created to read:

301.01 **(3k)** "Secured child caring institution" has the meaning given in s. 938.02 (15g).

SECTION 2685. 301.01 (3m) of the statutes is created to read:

301.01 **(3m)** "Secured correctional facility" has the meaning given in s. 938.02 (15m).

SECTION 2686. 301.01 (3p) of the statutes is created to read:

301.01 **(3p)** "Secured group home" has the meaning given in s. 938.02 (15p).

SECTION 2687. 301.01 (4) of the statutes is amended to read:

301.01 **(4)** "State correctional institution" means a state prison under s. 302.01 or a secured correctional facility~~, as defined in s. 938.02 (15m), other than the Mendota Juvenile Treatment Center~~ operated by the department.

SECTION 2688. 301.027 of the statutes is amended to read:

301.027 Treatment program at one or more juvenile secured correctional ~~institutions~~ facilities. The department shall maintain a cottage–based intensive alcohol and other drug abuse program at one or more juvenile secured correctional ~~institutions~~ facilities.

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 2690. 301.03 (10) (d) of the statutes is amended to read:

301.03 **(10)** (d) Administer the office of juvenile offender review in the division of juvenile corrections in the department. The office shall be responsible for decisions regarding case planning, the release of juvenile offenders from ~~juvenile~~ secured correctional ~~institutions~~ facilities, secured child caring institutions or secured group

homes to aftercare placements and the transfer of juveniles to the Racine youthful offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d).

SECTION 2691. 301.03 (10) (e) of the statutes is amended to read:

301.03 **(10)** (e) Provide educational programs in all secured correctional facilities~~, as defined in s. 938.02 (15m), other than the Mendota Juvenile Treatment Center~~ operated by the department.

SECTION 2692. 301.03 (10) (f) of the statutes is amended to read:

301.03 **(10)** (f) Provide health services and psychiatric services for residents of all secured correctional facilities~~, as defined in s. 938.02 (15m), other than the Mendota Juvenile Treatment Center~~ operated by the department.

SECTION 2693. 301.08 (1) (b) 3. of the statutes is amended to read:

301.08 **(1)** (b) 3. Contract with public, private or voluntary agencies for the supervision, maintenance and operation of secured correctional facilities, ~~as defined in s. 938.02 (15m),~~ child caring institutions, as defined in s. 938.02 (2c), and secured child caring institutions~~, as defined in s. 938.02 (15g),~~ for the placement of juveniles who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4d), (4h) or (4m). The department may designate a secured correctional facility, child caring institution or a secured child caring institution contracted for under this subdivision as a Type 2 secured correctional facility, as defined in s. 938.02 (20), and may designate a child caring institution or secured child caring institution contracted for under this subdivision as a Type 2 child caring institution, as defined in s. 938.02 (19r).

SECTION 2694. 301.08 (1) (b) 4. of the statutes is created to read:

301.08 **(1)** (b) 4. Contract with not more than one county for the operation of a secured group home for the placement of juveniles who have been convicted under

s. 938.183 or adjudicated delinquent under s. 983.183 or 938.34 (4h) or (4m). The contract shall specify that the county operating the secured group home must comply with all rules of the department that are applicable to the treatment of juveniles who are placed in a secured correctional facility.

SECTION 2695. 301.16 (1q) of the statutes is created to read:

301.16 **(1q)** The department shall establish a probation and parole holding and alcohol and other drug abuse treatment facility to provide 600 beds in southeastern Wisconsin, as enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and shall locate the facility in Milwaukee.

SECTION 2696. 301.16 (1r) of the statutes is amended to read:

301.16 **(1r)** In addition to the institutions under sub. (1), the department shall establish a ~~medium~~ maximum security correctional institution for persons 15 years of age or over, but not more than 21 years of age, who have been placed in a state prison under s. 302.01. The ~~medium~~ maximum security correctional institution under this subsection shall be known as the Racine Youthful Offender Correctional Facility and shall be located at the intersection of Albert Street and North Memorial Drive in the city of Racine. The department shall limit the number of prisoners who may be placed at the Racine Youthful Offender Correctional Facility to no more than 400 at any one time.

SECTION 2697. 301.16 (1s) of the statutes is created to read:

301.16 **(1s)** In addition to the institutions under sub. (1), the department shall establish a medium security correctional facility that is part of the correctional facility or facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is located in Redgranite.

SECTION 2698. 301.16 (1t) of the statutes is created to read:

301.16 **(1t)** In addition to the institutions under sub. (1), the department shall establish a medium security correctional facility that is part of the correctional facility or facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is located in New Lisbon.

SECTION 2699. 301.205 of the statutes is amended to read:

301.205 Reimbursement to visiting families. The department may reimburse families visiting girls at a secured correctional facility~~, as defined in s. 938.02 (15m)~~. If the department decides to provide the reimbursement, ~~it~~ the department shall establish criteria for the level of reimbursement, which shall include family income and size and other relevant factors.

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 2701. 301.26 (4) (cm) 1. of the statutes is amended to read:

301.26 **(4)** (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing ~~juvenile~~ secured correctional ~~institutions~~ facilities, secured child caring institutions, ~~as defined in s. 938.02 (15g),~~ secured group homes, alternate care providers, aftercare supervision providers and corrective sanctions supervision providers for costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age or over who has

been placed in a ~~juvenile~~ secured correctional facility based on a delinquent act that is a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02 (1), 948.025, 948.30 (2), 948.35 (1) (b) or 948.36 and for the care of any juvenile 10 years of age or over who has been placed in a ~~juvenile~~ secured correctional ~~institution or a~~ facility, secured child caring institution or secured group home for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

SECTION 2702. 301.26 (4) (cm) 2. of the statutes is amended to read:

301.26 **(4)** (cm) 2. Notwithstanding pars. (a), (b) and (bm), the department shall transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing ~~juvenile~~ secured correctional ~~institutions~~ facilities, secured child caring institutions, ~~as defined in s. 938.02 (15g),~~ alternate care providers, aftercare supervision providers and corrective sanctions supervision providers for costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age or over and under 18 years of age who has been placed in a ~~juvenile~~ secured correctional facility under s. 48.366 based on a delinquent act that is a violation of s. 940.01, 940.02, 940.05 or 940.225 (1).

SECTION 2703. 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~~ $157.29 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$150.44~~ $157.29 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$160.22~~ $169.24 for care in a child caring institution, including a secured child caring institution, ~~$111.16~~ $117.42 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~~ $85.18 for departmental corrective sanctions services and ~~$16.98~~ $16.85 for departmental aftercare services.

SECTION 2704. 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~~ $158.46 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$154.94~~ $158.46 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$161.79~~ $172.46 for care in a child caring institution, including a secured child caring institution, ~~$112.25~~ $119.65 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~~ $80.67 for departmental corrective sanctions services and ~~$17.18~~ $17.03 for departmental aftercare services.

SECTION 2705. 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~~ $159.62 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$159.46~~ $159.62 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$163.36~~ $175.67 for care in a child caring institution, including a secured child caring institution, ~~$113.34~~ $121.88 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~~ $76.67 for departmental corrective sanctions services and ~~$17.39~~ $17.20 for departmental aftercare services.

SECTION 2706. 301.26 (4) (dt) of the statutes is amended to read:

301.26 **(4)** (dt) ~~For~~ Except as provided in pars. (e) to (g), for serious juvenile offender services, all uniform fee collections under s. 301.03 (18) shall be credited to the appropriation account under s. 20.410 (3) (hm).

SECTION 2707. 301.26 (4) (e) of the statutes is amended to read:

301.26 **(4)** (e) For foster care, treatment foster care, group home care, including secured group home care, and institutional child care to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14) and 938.52 all payments and deductions made under this subsection and uniform fee collections under s. 301.03 (18) shall be credited to the appropriation account under s. 20.410 (3) (ho).

SECTION 2708. 301.26 (4) (ed) of the statutes is amended to read:

301.26 **(4)** (ed) For foster care, treatment foster care, group home care, including secured group home care, and institutional child care to serious juvenile offenders under ss. 49.19 (10) (d), 938.48 (4) and (14) and 938.52 all uniform fee collections under s. 301.03 (18) shall be credited to the appropriation account under s. 20.410 (3) (ho).

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 2710. 301.263 (3) of the statutes is amended to read:

301.263 **(3)** The department shall distribute 33% of the amounts distributed under sub. (1) based on each county's proportion of the violent Part I juvenile arrests reported statewide under the uniform crime reporting system of the office of justice

assistance in the department of administration, during the most recent 2–year period for which that information is available. The department shall distribute 33% of the amounts distributed under sub. (1) based on each county's proportion of the number of juveniles statewide who are placed in a ~~juvenile~~ secured correctional ~~institution or~~ facility, a secured child caring institution~~, as defined in s. 938.02 (15g),~~ or a secured group home during the most recent 2–year period for which that information is available. The department shall distribute 34% of the amounts distributed under sub. (1) based on 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 2–year period for which that information is available.

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 2712. 301.36 (1) of the statutes is amended to read:

301.36 **(1)** GENERAL AUTHORITY. The department shall investigate and supervise all of the state ~~correctional institutions~~ prisons under s. 302.01, all secured correctional facilities, all secured child caring institutions, all secured group homes and all secure detention facilities and familiarize itself with all of the circumstances affecting their management and usefulness.

SECTION 2713. 301.37 (1) of the statutes is amended to read:

301.37 **(1)** The department shall fix reasonable standards and regulations for the design, construction, repair and maintenance of all houses of correction, reforestation camps maintained under s. 303.07, jails as defined in s. 302.30, extensions of jails under s. 59.54 (14) (g), rehabilitation facilities under s. 59.53 (8), lockup facilities as defined in s. 302.30, work camps under s. 303.10, Huber facilities under s. 303.09 and, after consulting with the department of health and family services, all secured group homes and secure detention facilities operated by county departments under s. 46.215, 46.22 or 46.23, with respect to their adequacy and fitness for the needs which they are to serve.

SECTION 2714. 301.45 (1) (b) of the statutes is amended to read:

301.45 **(1)** (b) Is in prison, 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 a secured group home or is on probation, extended supervision, parole, supervision or aftercare supervision on or after December 25, 1993, for any violation, or for the solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the person was not the victim's parent.

SECTION 2715. 301.45 (1) (bm) of the statutes is amended to read:

301.45 **(1)** (bm) Is in prison, 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 a secured group home or is on probation, extended supervision, parole, supervision or aftercare supervision on or after December 25, 1993, for a violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law of this state that

is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or 940.31 if the victim was a minor and the person was not the victim's parent.

SECTION 2716. 301.45 (3) (a) 2. of the statutes is amended to read:

301.45 **(3)** (a) 2. If the person has been sentenced to prison or placed in a secured correctional facility ~~or~~, a secured child caring institution <u>or a secured group home</u>, he or she is subject to this subsection upon being released on parole, extended supervision or aftercare supervision.

SECTION 2717. 301.45 (5) (a) 2. of the statutes is amended to read:

301.45 **(5)** (a) 2. If the person has been sentenced to prison or placed in a secured correctional facility ~~or~~, a secured child caring institution <u>or a secured group home</u>, 15 years after discharge from parole or aftercare supervision.

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". <u>The medium security</u>

penitentiary near Black River Falls is named "Jackson Correctional Institution". The ~~medium~~ maximum 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), (1s) and (1t), 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 and alcohol and other drug abuse treatment facility authorized under s. 301.16 (1q) and state–local shared correctional facilities when established under s. 301.14, are state prisons.

SECTION 2719. 340.01 (3) (b) of the statutes is amended to read:

340.01 **(3)** (b) Conservation wardens' vehicles or foresters' trucks, whether publicly or privately owned~~;~~. Conservation wardens' vehicles include all–terrain vehicles and snowmobiles being operated by conservation wardens.

SECTION 2720. 340.01 (3) (bm) of the statutes is created to read:

340.01 **(3)** (bm) A snowmobile operated by an employe of the department of natural resources who is authorized to exercise the authority of the department of natural resources under s. 23.11 (4).

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 group under s. 341.14 (6r) (f) 53. 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., 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., 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 subdivision does not apply to registration plates issued under s. 341.14 (6r) (f) 52., 1997 stats. This subdivision 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). This subdivision does not apply to registration plates issued under s. 341.14 (6r) (f) 52., 1997 stats.

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. 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 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. 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 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 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 2733. 341.255 (4) of the statutes is repealed.

SECTION 2734. 341.26 (2g) of the statutes is amended to read:

341.26 **(2g)** REBASING REGISTRATION PLATES. Notwithstanding s. 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. 341.26 (2) ~~and~~ or (3) (a) 1. ~~and~~ or (am), ~~the registration for which expires after June 30, 2000, and before January 1, 2004,~~ the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established for that 6–year period under s. 341.135 (1)~~. The department shall issue only one set of plates under this subsection for each vehicle registered under this section~~, if the department has not already issued registration plates of that design for that vehicle.

SECTION 2735. 343.12 (2m) of the statutes is created to read:

343.12 **(2m)** The department shall require each person who holds an endorsement to operate a school bus to provide proof to the department that, within the past 4 years, the person has passed an examination described under sub. (2) (h). If a person fails to provide proof required under this subsection, the department shall cancel the person's operator's license as provided under s. 343.20 (1) (d).

SECTION 2736. 343.12 (4) (a) 2. of the statutes is repealed.

SECTION 2737. 343.16 (1) (a) of the statutes is amended to read:

343.16 **(1)** (a) *General.* ~~The~~ Except as provided in pars. (b) and (c), the department shall examine every applicant for an operator's license, including applicants for license renewal as provided in sub. (3), and every applicant for authorization to operate a vehicle class or type for which the applicant does not hold currently valid authorization, other than an instruction permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants for licenses authorizing operation of "Class A", "Class B", "Class C", "Class D" or "Class M" vehicles shall include both a knowledge test and an actual demonstration in the form of a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a representative vehicle. The department shall not administer a driving skills test to a person applying for authorization to operate "Class M" vehicles who has failed 2 previous such skills tests unless the person has successfully completed a rider course approved by the department. The department may, by rule, exempt certain persons from the rider course requirement of this paragraph. The driving skills of applicants for endorsements authorizing the operation of commercial motor vehicles equipped with air brakes, the transportation of passengers in commercial motor vehicles or the operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration of driving skills. The department

may endorse an applicant's commercial driver license for transporting hazardous materials, or the operation of tank vehicles or vehicles towing double or triple trailers, as described in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In administering the knowledge test, the department shall attempt to accommodate any special needs of the applicant. Except as may be required by the department for an "H" or "S" endorsement, the knowledge test is not intended to be a test for literacy or English language proficiency. This paragraph does not prohibit the department from requiring an applicant to correctly read and understand highway signs.

SECTION 2738. 343.16 (1) (b) (intro.) of the statutes is amended to read:

343.16 **(1)** (b) *Third–party testing.* (intro.) The department may contract with a person, including an agency or department of this state or its political subdivisions or another state, or a private employer of commercial motor vehicle drivers, to administer commercial motor vehicle skills tests required by 49 CFR 383.110 to 383.135, examinations required to be administered under s. 343.12 (2) (h) ~~and~~, abbreviated driving skills tests required by sub. (3) (b) <u>and, to persons at least 18 years of age, driving skills tests required by par. (a) for authorization to operate "Class D" vehicles</u>. The department may not enter into such testing contracts with a private driver training school or other private institution <u>for vehicles other than "Class D" vehicles</u>. A contract with a 3rd–party tester shall include all of the following provisions:

SECTION 2739. 343.16 (1) (b) 3. (intro.) of the statutes is amended to read:

343.16 **(1)** (b) 3. (intro.) At least annually, the department shall conduct an on–site inspection of the 3rd–party tester to determine compliance with the contract and with department and federal standards for testing applicants for commercial

driver licenses and with department standards for testing applicants for regular licenses and school bus endorsements. At least annually, the department shall also evaluate testing given by the 3rd–party by one of the following means:

SECTION 2740. 343.16 (1) (b) 4. of the statutes is amended to read:

343.16 **(1)** (b) 4. Examiners of the 3rd–party tester shall meet the same qualifications and training standards as the department's license examiners to the extent established by the department as necessary to satisfactorily perform the driving skills tests required by par. (a) for authorization to operate "Class D" vehicles, skills tests required by 49 CFR 383.110 to 383.135, examinations required to be administered under s. 343.12 (2) (h) and abbreviated driving skills tests required by sub. (3) (b).

SECTION 2741. 343.16 (1) (b) 5. of the statutes is amended to read:

343.16 **(1)** (b) 5. The department shall take prompt and appropriate remedial action against the 3rd–party tester in the event that the tester fails to comply with department or federal standards for commercial driver license testing, department standards for regular license and school bus endorsement testing or any provision of the contract. Such action may include immediate termination of testing by the 3rd–party tester and recovery of damages.

SECTION 2742. 343.16 (1) (c) (intro.) of the statutes is amended to read:

343.16 **(1)** (c) *Driver education course.* (intro.) The department may, after consultation with the department of public instruction and the technical college system board, provide for administration of and certification of the results of the test of an applicant's knowledge of the traffic laws and ability to read and understand highway signs, and of the driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a "Class D" vehicle, in conjunction

with a course in driver education specified in this paragraph, by an instructor in that course. ~~The test under this paragraph does not include that part of a driver's examination involving the actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle required for the issuance of a license other than an instruction permit. The~~ No person may administer a driving skills test under this paragraph to an applicant, unless the applicant is under 18 years of age, enrolled in a course described in subds. 1. to 4. and the driving skills test is administered as part of that course. Any test authorized under this paragraph may be administered and certified by an instructor in any of the following:

SECTION 2743. 343.16 (1) (c) 4. of the statutes is created to read:

343.16 **(1)** (c) 4. A course in driver education in driver schools licensed under s. 343.61.

SECTION 2744. 343.17 (3) (a) 13. of the statutes is created to read:

343.17 **(3)** (a) 13. If the person is under 18 years of age at the time of issuance of the license, a distinctive appearance specified by the department that clearly identifies to the public that the person was under 18 years of age at the time of issuance of the license.

SECTION 2745. 343.19 (1) of the statutes is amended to read:

343.19 **(1)** If a license issued under this chapter or an identification card issued under s. 343.50 is lost or destroyed or the name or address named in the license or identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies, the person to whom the license or identification card was issued may obtain a duplicate thereof or substitute therefor upon furnishing proof satisfactory to the department of name and date of birth and that the license or identification card has been lost or destroyed or that application for a duplicate

license or identification card is being made for a change of address or name or because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the original license or identification card is found it shall immediately be transmitted to the department. Duplicates of nonphoto licenses shall be issued as nonphoto licenses.

SECTION 2746. 343.20 (1) (d) of the statutes is amended to read:

343.20 **(1)** (d) The department shall cancel an operator's license that is endorsed for the operation of school buses under s. 343.12 (2), regardless of the license expiration date, if the licensee fails to provide proof to the department that he or she has passed an examination as required under s. 343.12 (2m). The department shall cancel an operator's license that is endorsed for the operation of school buses under s. 343.12 (3), regardless of the license expiration date, if the licensee fails to provide proof to the department of an annual physical examination determining that the person meets the physical standards established under s. 343.12 (2) (g). The licensee may elect to surrender the license under s. 343.265 (1m).

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 2748. 343.305 (9) (a) (intro.) of the statutes is amended to read:

343.305 **(9)** (a) (intro.) If a person refuses to take a test under sub. (3) (a), the law enforcement officer shall immediately take possession of the person's license and prepare a notice of intent to revoke, by court order under sub. (10), the person's operating privilege. If the person was driving or operating a commercial motor vehicle, the officer shall issue an out–of–service order to the person for the 24 hours after the refusal and notify the department in the manner prescribed by the department. The officer shall issue a copy of the notice of intent to revoke the privilege to the person and submit or mail a copy with the person's license to the circuit court for the county in which the arrest under sub. (3) (a) was made. The officer shall also mail a copy of the notice of intent to revoke to the district attorney for that county and the department. Neither party is entitled to prehearing discovery, except that at the refusal hearing, before a witness testifies, written or voice recorded statements of the witness, if any, shall be given to the defendant. For

cause, the court may order the production of those statements before the hearing. This limit on discovery does not affect either party's right to discovery under s. 971.23 related to any criminal prosecution. The notice of intent to revoke the person's operating privilege shall contain substantially all of the following information:

SECTION 2749. 343.305 (9) (am) (intro.) of the statutes is amended to read:

343.305 **(9)** (am) (intro.) If a person driving or operating or on duty time with respect to a commercial motor vehicle refuses a test under sub. (3) (am), the law enforcement officer shall immediately take possession of the person's license, issue an out–of–service order to the person for the 24 hours after the refusal and notify the department in the manner prescribed by the department, and prepare a notice of intent to revoke, by court order under sub. (10), the person's operating privilege. The officer shall issue a copy of the notice of intent to revoke the privilege to the person and submit or mail a copy with the person's license to the circuit court for the county in which the refusal is made. The officer shall also mail a copy of the notice of intent to revoke to the district attorney for that county and the department. Neither party is entitled to prehearing discovery, except that at the refusal hearing, before a witness testifies, written or voice recorded statements of the witness, if any, shall be given to the defendant. For cause, the court may order the production of those statements before the hearing. This limit on discovery does not affect either party's right to discovery under s. 971.23 related to any criminal prosecution. The notice of intent to revoke the person's operating privilege shall contain substantially all of the following information:

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) or a local ordinance in conformity therewith 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~~ 2002, 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, and the fee required under s. 85.135, 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 2762. 346.02 (10) of the statutes is amended to read:

346.02 **(10)** APPLICABILITY TO SNOWMOBILES. The operator of a snowmobile upon a roadway shall in addition to the provisions of ch. 350 be subject to ss. 346.04, 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and (9) <u>and, if the snowmobile is an authorized emergency vehicle, be subject to s. 346.03</u>.

SECTION 2763. 346.02 (11) of the statutes is amended to read:

346.02 **(11)** APPLICABILITY TO ALL–TERRAIN VEHICLES. The operator of an all–terrain vehicle on a roadway is subject to ss. 346.04, 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and (9) ~~but is not~~ <u>and, if the all–terrain vehicle is an authorized emergency vehicle, is subject to s. 346.03, but no operator of an all–terrain vehicle is</u> subject to any other provision of this chapter.

SECTION 2764. 346.03 (3) of the statutes is amended to read:

346.03 **(3)** The exemption granted the operator of an authorized emergency vehicle by sub. (2) (a) applies only when the operator of the vehicle is giving visual signal by means of at least one flashing, oscillating or rotating red light except that the visual signal given by a police vehicle may be by means of a blue light and a red

light which are flashing, oscillating or rotating, except as otherwise provided in sub. (4m) (a). The exemptions granted by sub. (2) (b), (c) and (d) apply only when the operator of the emergency vehicle is giving both such visual signal and also an audible signal by means of a siren or exhaust whistle, except as otherwise provided in sub. (4) or (4m).

SECTION 2765. 346.03 (4m) of the statutes is renumbered 346.03 (4m) (a).

SECTION 2766. 346.03 (4m) (b) of the statutes is created to read:

346.03 **(4m)** (b) The exemptions granted by sub. (2) (b), (c) and (d) apply to a vehicle that is giving a visual signal or an audible signal, or both, in the manner described in sub. (3), if the vehicle is any of the following:

1. A snowmobile operated by an employe of the department of natural resources who is authorized to exercise the authority of the department of natural resources under s. 23.11 (4).

2. An all–terrain vehicle or snowmobile operated by a conservation warden.

SECTION 2767. 347.415 (1) of the statutes is renumbered 347.415 (1m) and amended to read:

347.415 **(1m)** No person ~~shall~~ may, either personally or through an agent, remove, replace, disconnect, reset, tamper with, alter, or fail to connect the odometer of any motor vehicle, snowmobile or all–terrain vehicle with the intent to change or affect the number of miles indicated thereon.

SECTION 2768. 347.415 (1g) of the statutes is created to read:

347.415 **(1g)** In this section, "odometer" means an instrument for measuring and recording the actual distance that a motor vehicle, snowmobile or all–terrain vehicle has traveled while in operation, but does not include any auxiliary

instrument designed to be reset to zero to measure and record the actual distance that a motor vehicle, snowmobile or all–terrain vehicle has traveled on trips.

SECTION 2769. 347.415 (2) of the statutes is amended to read:

347.415 **(2)** No person may operate a motor vehicle subject to registration under ch. 341 on any street or highway with knowledge that the odometer is removed, disconnected or nonfunctional. Notwithstanding s. 347.02 (2), no person may operate a snowmobile or all–terrain vehicle with knowledge that the odometer is removed, disconnected or nonfunctional. An exemption may be provided if parts are on back order to correct a nonfunctional odometer.

SECTION 2770. 347.415 (4) of the statutes is amended to read:

347.415 **(4)** No person shall conspire with any other person to violate sub. ~~(1)~~ (1m), (2) or (3).

SECTION 2771. 347.50 (1) of the statutes is amended to read:

347.50 **(1)** Any person violating ss. 347.35 to 347.49, except s. 347.413 (1) or s. 347.415 ~~(1)~~ (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.48 (2m) or (4) (a) or s. 347.489, may be required to forfeit not less than $10 nor more than $200.

SECTION 2772. 347.50 (2) of the statutes is amended to read:

347.50 **(2)** Any person violating s. 347.415 ~~(1)~~ (1m), (2) and (3) to (5) may be fined not more than $5,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

SECTION 2773. 348.01 (2) (aj) of the statutes is created to read:

348.01 **(2)** (aj) "Certified portable testing device" means a portable testing device which is tested and inspected periodically for accuracy by the department of agriculture, trade and consumer protection or other authorized testing agency in accordance with specifications, tolerances, standards and procedures established by

the national institute of standards and technology and the department of agriculture, trade and consumer protection for the testing and examination of scales.

SECTION 2774. 348.15 (3) (bg) of the statutes is amended to read:

348.15 **(3)** (bg) In the case of a vehicle or combination of vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm, the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,000 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles ~~more than~~ 9 feet <u>or more</u> apart, a weight of 2,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

SECTION 2775. 348.15 (5) (intro.) of the statutes is amended to read:

348.15 **(5)** (intro.) For enforcement of weight limitations specified by this chapter the gross weight, measured in pounds, imposed on the highway by any wheel or any one axle or by any group of 2 or more axles shall be determined by weighing the vehicles and load, either by single draft or multiple draft weighing on certified stationary scales or on portable scales in good working order which are tested in comparison to certified stationary scales <u>or with certified portable testing devices</u> within ~~90~~ <u>190</u> days immediately prior to any weighing operation by the department of agriculture, trade and consumer protection or other authorized testing agencies for accuracy to within standard accepted tolerances. The weighing operation shall be performed in accordance with and under conditions accepted as good weighing technique and practice. In multiple draft weighing the sum of the weight of

respective components shall be used to establish the weight of a combination of the components. It is recognized that the weight, determined in accordance with methods prescribed in this chapter, includes all statutory weights and represents the momentary load force or reaction imposed on the scale at the time of weighing. Such weights include any variation due to the following factors:

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 2787. 348.26 (1m) (title) of the statutes is repealed.

SECTION 2788. 348.26 (1m) of the statutes is renumbered 348.29 (1) and amended to read:

348.29 **(1)** The department shall develop and implement a telephone call–in procedure ~~for~~ to issue and renew permits ~~issued~~ under ~~this section~~ ss. 348.26 and 348.27 and shall implement a computerized system for use under this section to determine and designate the route to be used by the permittee. The telephone call–in procedure for permits may not be utilized until permit information is computerized to ensure inquiry capability into the data base for enforcement purposes.

SECTION 2789. 348.28 (1) of the statutes is amended to read:

348.28 **(1)** Permits issued under ss. 348.25, 348.26 and 348.27 (1) to (10), (12) and (13) <u>or by the telephone call–in procedure under s. 348.29</u> shall be carried on the vehicle during operations so permitted.

SECTION 2790. 348.29 (title) of the statutes is created to read:

348.29 (title) **Telephone authorization for oversize or overweight vehicle permits.**

SECTION 2791. 348.29 (2), (3), (4), (5) and (6) of the statutes are created to read:

348.29 **(2)** In addition to any fees required under s. 348.25, 348.26 or 348.27, any person who uses the procedure under this section to obtain a permit under s. 348.26 or 348.27 shall pay the following fees to the department:

(a) The lesser of $10 per vehicle for which a permit is issued or the actual cost of the telephone authorization per vehicle for which a permit is issued as determined by the department.

(b) A late payment fee of $10 per vehicle for which a permit is issued, if the department receives any required fees after the time period established by the department.

(3) (a) The department may require that cancellation of a permit obtained through the telephone call–in procedure be made by telephone.

(b) A person may cancel a permit obtained through the telephone call–in procedure before the first day of operation authorized by the permit. The department may not require a person who cancels a permit under this paragraph to pay any fees under s. 348.25, 348.26 or 348.27 relating to the canceled permit. The person shall pay to the department the authorization fee under sub. (2) (a) and may be charged a cancellation fee established by the department.

(c) No person may cancel a permit obtained through the telephone call–in procedure on or after the first day of operation authorized by the permit. The department may not refund any fees paid under sub. (2) on or after the first day of operation authorized by the permit.

(4) The department may refuse to issue a permit through the telephone call–in procedure to any applicant who does not comply with this section or who has had a permit issued under s. 348.26 or 348.27 suspended or revoked.

(5) The department may suspend any or all permits issued under s. 348.26 or 348.27 to a person who fails to pay the required fees for a permit obtained through use of the telephone call–in procedure within the time period established by the department under this section. A permit suspended under this subsection remains suspended until the required fees are paid.

(6) The department shall promulgate rules to implement this section.

SECTION 2792. 349.16 (2) of the statutes is amended to read:

349.16 **(2)** Imposition of the special weight limitations authorized by sub. (1) (a) shall be done by erecting signs on or along the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation <u>and by erecting such signs sufficiently in advance of that highway to provide operators of vehicles an opportunity to avoid that highway</u>. Imposition of the special weight limitations authorized by sub. (1) (b) shall be done by erecting signs before each end of the bridge or culvert to which the weight limitation applies sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation. All weight limitation signs and their erection shall comply with the rules of the department and shall be standard throughout the state.

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 2794. 350.02 (2) (a) 7. of the statutes is created to read:

350.02 **(2)** (a) 7. A person operating a snowmobile on a roadway shall observe roadway speed limits.

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 2804. 350.095 of the statutes is created to read:

350.095 Snowmobile inspection. (1) No person may operate, or cause or knowingly permit to be operated, on any highway any snowmobile that does not meet the requirements of this section.

(2) When directed by any law enforcement officer, the operator of any snowmobile shall stop and submit the snowmobile to an inspection and such tests as are necessary to determine whether its required equipment is in proper adjustment or repair, or is in violation of the equipment provisions of s. 350.09 or 350.10 (1) (d) or (e), or rules issued pursuant thereto.

(3) When any snowmobile is found to be unsafe for operation or in violation of the equipment provisions of s. 350.09 or 350.10 (1) (d) or (e), or rules issued pursuant thereto, a law enforcement officer may order the snowmobile removed from the

highway and not operated, except for purposes of removal and repair, until it has been repaired pursuant to a repair order as provided in sub. (4).

(4) In addition to or in lieu of a citation for the violation, when any snowmobile is in violation of the equipment provisions of s. 350.09 or 350.10 (1) (d) or (e), or rules issued pursuant thereto, a law enforcement officer may issue a repair order, in such form and containing such information as the department prescribes, to the owner or operator of the snowmobile. The owner or operator shall thereupon obtain such repairs as are required.

(5) No owner or operator of a snowmobile may refuse to submit a snowmobile to any inspection or test that is authorized 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 2806. 350.12 (3i) of the statutes is created to read:

350.12 **(3i)** REGISTRATION OF CERTAIN SNOWMOBILES PROHIBITED. Notwithstanding sub. (3) (d) or (3j) (c) or s. 23.35 or 350.122 (2), the department or federally recognized Indian tribe or band in this state shall refuse registration of a snowmobile if the most recent inspection under s. 350.095 indicates that the snowmobile's required equipment is not in proper adjustment or repair, or is in

violation of the equipment provisions of s. 350.09 or 350.10 (1) (d) or (e), or rules issued pursuant thereto.

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~~ expires on March 31 of each 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) (ak) and (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) (cr) ~~and~~, (cs) and (cw) 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 2812. 350.12 (4) (bg) of the statutes is renumbered 350.12 (4) (bg) 1. and amended to read:

350.12 **(4)** (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the department shall make available in ~~fiscal year 1992–93 and~~ each fiscal year ~~thereafter~~ an amount equal to the amount calculated under s. 25.29 (1) (d) 2. to make payments to the department or a county under par. (bm) for trail maintenance costs incurred in the previous fiscal year that exceed the maximum specified under par. (b) 1. before expending any of the amount for the other purposes specified in par. (b).

SECTION 2813. 350.12 (4) (bg) 2. of the statutes is created to read:

350.12 **(4)** (bg) 2. For fiscal year 1999–2000, and for each fiscal year thereafter, the department shall calculate an amount equal to the number of trail use stickers issued under sub. (3j) in the previous fiscal year multiplied by $10 and shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From the appropriation under s. 20.370 (5) (cw), the department shall make payments to the department or a county for the purposes specified in par. (b). The department shall make payments under par. (bm) for trail maintenance costs that were incurred in the previous fiscal year and that exceed the maximum specified under par. (b) 1. before making payments for any of the other purposes specified in par. (b).

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 2815. 350.15 (6) of the statutes is created to read:

350.15 **(6)** EXCEPTION. This section does not apply to snowmobile accidents that occur during a sanctioned race or derby.

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 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 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~~ $47. 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 2916. 440.91 (1) of the statutes is amended to read:

440.91 **(1)** Except as provided in sub. (6m), every cemetery authority that sells ~~or solicits the sale of~~ a total of 10 or more cemetery lots or mausoleum spaces during a calendar year ~~and that pays any commission or other compensation to any person for selling or soliciting the sale of its cemetery lots or mausoleum spaces~~ shall register with the department. The registration shall be in writing and shall include the names of the officers of the cemetery authority. A cemetery authority shall file a separate registration for each cemetery at which 10 or more cemetery lots or mausoleum spaces are sold during a calendar year.

SECTION 2917. 440.91 (2) (intro.) of the statutes is amended to read:

440.91 **(2)** (intro.) Except as provided in subs. (7) and (10), every ~~individual who~~ person that sells or solicits the sale of, or ~~who~~ that expects to sell or solicit the sale of, ~~a total of~~ 10 or more cemetery lots or 10 or more mausoleum spaces during a calendar year shall register with the department. ~~An individual~~ A person may not be registered as a cemetery salesperson except upon the written request of a cemetery authority and the payment of the fee specified in s. 440.05 (1). The cemetery authority shall certify in writing to the department that the ~~individual~~ person is competent to act as a cemetery salesperson. ~~Within 10 days after the certification of any cemetery salesperson, the cemetery salesperson shall verify and~~ An applicant for registration as a cemetery salesperson shall furnish to the department, in such form as the department prescribes, all of the following information:

SECTION 2918. 440.91 (2) (a) of the statutes is repealed and recreated to read:

440.91 **(2)** (a) The name and address of the applicant and, if the applicant is a business entity, as defined in s. 452.01 (3j), the name and address of each business representative, as defined in s. 452.01 (3k).

SECTION 2919. 440.91 (2) (b) and (c) of the statutes are repealed.

SECTION 2920. 440.91 (7) of the statutes is amended to read:

440.91 **(7)** ~~An individual who~~ A person that solicits the sale of cemetery lots or mausoleum spaces in a cemetery organized, maintained and operated by a town, village, city, church, synagogue or mosque, religious, fraternal or benevolent society or incorporated college of a religious order is not required to be registered under sub. (2).

SECTION 2921. 440.91 (8) of the statutes is repealed.

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 2923. 440.95 (2) of the statutes is amended to read:

440.95 **(2)** Any ~~individual who~~ person that is required to register as a cemetery salesperson under s. 440.91 (2) and ~~who~~ that fails to register may be fined not less than $25 nor more than $200 or imprisoned for not more than 6 months or both.

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 2927. 552.23 (1) of the statutes is amended to read:

552.23 **(1)** If the target company is an insurance company subject to regulation by the commissioner of insurance, a banking corporation subject to regulation by the division of banking, a savings bank or savings and loan association subject to regulation by the division of savings ~~and loan~~ institutions, or a company subject to regulation by the public service commission, the department of transportation or the office of the commissioner of railroads, the division of securities shall promptly furnish a copy of the registration statement filed under this chapter to the regulatory agency having supervision of the target company. Any hearing under this chapter involving any such target company shall be held jointly with the regulatory agency having supervision, and any determination following the hearing shall be made jointly with that regulatory agency.

SECTION 2928. 560.01 (2) (a) of the statutes is amended to read:

560.01 **(2)** (a) *State economic policy.* The department shall develop a state economic policy. The department shall promote and provide technical assistance, consultative services and other assistance to commercial, industrial and recreational development and expansion; facilitate the establishment and retention of business enterprises in this state, including small and minority business enterprises; encourage cooperation between financial institutions and business persons to encourage commercial, industrial and recreational business expansion in this state; encourage creation of jobs throughout the state and especially in urban and rural economically depressed areas; develop and coordinate state public and private economic development plans and federal economic development assistance programs affecting local governments and business and industry; advise, assist and cooperate with the biotechnology development finance company under s. 234.64; encourage the growth of tourism in the state; promote state products and industries

in both foreign and domestic markets; provide informational clearinghouses for businesses and communities in their dealings with other state and federal agencies; advise the governor and legislature on the role of the state in state–local affairs; study the problems affecting local government relations as they impact on economic development and make recommendations for relieving these problems; develop a state–local relations policy to facilitate closer coordination and cooperation between state and local governments; advise the governor and the legislature regarding problems faced by local governments; develop an improved pattern of state–local relations; and develop recommendations for legislative or administrative action as may appear necessary.

SECTION 2929. 560.03 (16) of the statutes is repealed.

SECTION 2930. 560.05 (3) of the statutes is amended to read:

560.05 **(3)** ~~The~~ Subject to s. 893.83, the state shall be liable for accrued rentals and for any other default under any lease or sublease made under sub. (2) (c) and may be sued therefor on contract as in other contract actions under ch. 775, except that it shall not be necessary for the lessor under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor to file any claim with the legislature prior to the commencement of any such action.

SECTION 2931. 560.06 (title) of the statutes is amended to read:

560.06 (title) **Memorandum of understanding on use of allocated moneys for providing assistance to a nonprofit organization.**

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~~ subsection.

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 2934. 560.07 (2m) of the statutes is repealed.

SECTION 2935. 560.07 (9) of the statutes is repealed.

SECTION 2936. 560.08 (2) (m) of the statutes is repealed.

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. The department may charge reasonable fees for the services and information provided under this paragraph. The department shall deposit all fees collected under this paragraph in the appropriation account under s. 20.143 (1) (g).

SECTION 2938. 560.13 (1) (cr) of the statutes is created to read:

560.13 **(1)** (cr) "Eligible individual" means an individual who is the parent of a minor child and whose family income does not exceed 200% of the poverty line, as defined in s. 49.001 (5).

SECTION 2939. 560.13 (2) (am) of the statutes is created to read:

560.13 **(2)** (am) Subject to subs. (4) and (5), from the appropriation under s. 20.143 (1) (kd), the department may make a grant to a person, municipality or local development corporation if all of the following apply:

1. The conditions under par. (a) 1. to 3. apply with respect to the recipient.

2. With the grant proceeds, the recipient will create or retain jobs, at least 80% of which will be filled by eligible individuals.

SECTION 2940. 560.13 (2) (b) 1. of the statutes is amended to read:

560.13 **(2)** (b) 1. The contribution required under par. (a) 3., and under par. (am) 1. by reference to par. (a) 3., may be in cash or in–kind. Cash contributions may be of private or public funds, excluding funds obtained under the program under s. 560.17 or under any program under subch. V or VII of this chapter. In–kind contributions shall be limited to actual remediation services.

SECTION 2941. 560.13 (3) (a) (intro.) of the statutes is amended to read:

560.13 **(3)** (a) (intro.) The department shall award grants under ~~this section~~ sub. (2) (a) on the basis of the following criteria:

SECTION 2942. 560.13 (3) (c) of the statutes is created to read:

560.13 **(3)** (c) The department shall award grants under sub. (2) (am) on the basis of the following criteria:

1. The potential of the project to promote economic development in the area.

2. The number of jobs likely to be created or retained.

3. Whether the project will have a positive effect on the environment.

4. The amount and quality of the recipient's contribution to the project.

5. The innovativeness of the recipient's proposal for remediation and redevelopment.

SECTION 2943. 560.13 (3) (d) of the statutes is created to read:

560.13 **(3)** (d) If possible, when making a determination under par. (c), the department shall accord a 50% weight to the criteria under par. (c) 1. and 2., a 25% weight to the criterion under par. (c) 3., a 15% weight to the criterion under par. (c) 4. and a 10% weight to the criterion under par. (c) 5.

SECTION 2944. 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~~ Under this section, the department shall award all of the following in each ~~of those fiscal years~~ fiscal year:

SECTION 2945. 560.13 (4) (a) 1. of the statutes is amended to read:

560.13 **(4)** (a) 1. A total of ~~$750,000~~ $3,000,000 in grants that do not exceed $300,000.

SECTION 2946. 560.13 (4) (a) 2. of the statutes is amended to read:

560.13 **(4)** (a) 2. A total of ~~$1,750,000~~ $3,000,000 in grants that are greater than $300,000 but that do not exceed $700,000.

SECTION 2947. 560.13 (4) (a) 3. of the statutes is amended to read:

560.13 **(4)** (a) 3. A total of ~~$2,500,000~~ $4,000,000 in grants that are greater than $700,000 but that do not exceed $1,250,000.

SECTION 2948. 560.13 (4) (c) of the statutes is amended to read:

560.13 **(4)** (c) The department shall award at least ~~7~~ 14 grants under this section for projects that are located in municipalities with a population of less than ~~30,000~~ 50,000.

SECTION 2949. 560.13 (6) of the statutes is renumbered 560.13 (6) (a) (intro.) and amended to read:

560.13 **(6)** (a) (intro.) The department shall promulgate rules that ~~establish~~ do all of the following:

1. Establish criteria, within the guidelines under subs. (2) and (3), for awarding grants under this section, including the circumstances under which grant proceeds may be used for assessment services.

SECTION 2950. 560.13 (6) (a) 2. of the statutes is created to read:

560.13 **(6)** (a) 2. Establish the hours and benefits of employment for eligible individuals.

SECTION 2951. 560.13 (6) (b) of the statutes is created to read:

560.13 **(6)** (b) An applicant for a grant under sub. (2) (am) shall include in its application a plan for creating jobs, including jobs to be filled by eligible individuals.

SECTION 2952. 560.137 of the statutes is created to read:

560.137 Gaming economic development grants and loans. (1) In this section:

(a) "Professional services" has the meaning given in s. 560.17 (1) (c).

(b) "Qualified business" means an existing business that is located in this state in a county, or in a county that is adjacent to a county in this state, in which is located a casino that is operated by a federally recognized American Indian tribe or band 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 the 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, "qualified business" means an existing business that is located in, or expanding into, any of the following:

(a) A county in this state in which is located a casino that is operated by a federally recognized American Indian tribe or band in this state.

(b) A county in this state that is adjacent to a county in this state in which is located a casino that is operated by a federally recognized American Indian tribe or band in 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 in proximity to a casino.

(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 in proximity to the casino and of the state.

(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 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 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 2980. 560.42 (5) of the statutes is repealed and recreated to read:

560.42 **(5)** REPORT. Beginning in 2001 and biennially thereafter, the center shall prepare a report describing its activities under this section since the period covered in the previous report. The department shall submit the report with the report required under s. 560.55. The report may include recommendations for the legislature, governor, public records board and regulatory agencies concerning all of the following:

(a) Improving permit application forms.

(b) Eliminating unnecessary or duplicative permit requirements.

(c) Simplifying the process of applying for permits, of reviewing and making determinations on permit applications and of issuing permits.

SECTION 2981. 560.42 (6) of the statutes is repealed.

SECTION 2982. 560.55 (1) of the statutes is repealed.

SECTION 2983. 560.55 (2) of the statutes is renumbered 560.55 and amended to read:

560.55 ~~Evaluation and report~~ Report. ~~No~~ Beginning on October 1, 2001, and no later than ~~January~~ October 1 of each odd–numbered year thereafter, the department shall submit to the governor and to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report ~~containing the evaluation prepared under sub. (1) and~~ describing the department's activities and the result of the department's activities under s. 560.54 since the period covered in the previous report. The department shall combine this report with the report required under s. 560.42 (5) and may combine this report with other reports published by the department. The report may include recommendations for legislative proposals to change the entrepreneurial assistance programs and intermediary assistance programs.

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 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 of a grant or loan awarded under this subchapter an origination fee of up to 1.5% of the grant or loan amount if the grant or loan ~~exceeds $200,000 and is awarded under s. 560.63 or 560.66~~ equals $100,000 or more. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

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~~ the total amount of tax benefits specified in s. 560.787.

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 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 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 3007. 560.787 of the statutes is created to read:

560.787 Limit on tax benefits. The combined total of the tax benefits that may be claimed under the development zone program under ss. 560.70 to 560.78 and the enterprise development zone program under s. 560.797 may not exceed $300,000,000.

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~~ up to 100 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 3014. 560.797 (5) (b) of the statutes is amended to read:

560.797 **(5)** (b) When the department designates an area as an enterprise development zone under this section, the department shall establish a limit, not to exceed $3,000,000 and subject to the limit under s. 560.787, for tax benefits for the enterprise development zone.

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 3021. 560.835 (7) (b) of the statutes is amended to read:

560.835 **(7)** (b) The department shall deposit in the ~~recycling fund~~ appropriation account under s. 20.143 (1) (L) all moneys received after ~~July 1, 1995~~ the effective date of this paragraph .... [revisor inserts date], in repayment of loans made under this section.

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 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 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 3036. 609.23 of the statutes is created to read:

609.23 Point–of–service coverage option. (1) In this section, "point–of–service coverage option" means a health care plan coverage option under which all of the following apply:

(a) An insured may obtain health care services from a provider of his or her choice.

(b) A provider selected under par. (a) is not necessarily a participating provider of the health care plan or a member of the health care plan's network of providers.

(c) The health care plan reimburses a provider selected under par. (a) for the cost of services provided to the insured if the provider is appropriately licensed and the services provided are covered under the health care plan.

(2) Notwithstanding ss. 609.05 (2) and 628.36 (2) (b) 1. and 3., a managed care plan shall offer to its enrollees at least one point–of–service coverage option in each geographic service area of the managed care plan.

SECTION 3037. 610.70 (1) (e) of the statutes, as created by 1997 Wisconsin Act 231, is amended to read:

610.70 **(1)** (e) "Medical care institution" means a facility, as defined in s. 647.01 (4), or any hospital, nursing home, community–based residential facility, county home, county infirmary, county hospital, county mental health center, ~~tuberculosis sanatorium,~~ adult family home, assisted living facility, rural medical center, hospice or other place licensed, certified or approved by the department of health and family services under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.032, 50.033, 50.034, 50.35, 50.52, 50.90, 51.04, 51.08~~,~~ or 51.09~~, 58.06, 252.073 or 252.076~~ or a facility under s. 45.365, 51.05, 51.06 or 252.10 or under ch. 233 or licensed or certified by a county department under s. 50.032 or 50.033.

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 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 3050. 709.01 (1) of the statutes is amended to read:

709.01 **(1)** Except as provided in sub. (2), all persons who transfer real property located in this state, including a condominium unit, as defined in s. 703.02 (15), ~~and time–share property, as defined in s. 707.02 (32),~~ but excluding property that has not been inhabited, that includes 1 to 4 dwelling units, as defined in s. 101.61 (1), by sale, exchange or land contract, unless the transfer is exempt from the real estate transfer fee under s. 77.25, shall comply with ss. 709.02 to 709.04 and 709.06.

SECTION 3051. 767.075 (1) (c) of the statutes is amended to read:

767.075 **(1)** (c) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19 or 49.45 is provided on behalf of a dependent child or benefits are provided to the child's custodial parent under s. 49.124 or under ss. 49.141 to 49.161.

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 or the annual receiving and disbursing fee 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, 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 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 <u>or annual receiving and disbursing fee</u> 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)** An obligation to pay unpaid fees under s. 767.29 (1) (dm) 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 county child support agency under s. 59.53 (5) may cause the assignment 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 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. 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 subsection, 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 or the annual receiving and disbursing fee, 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) 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 paragraph in the appropriation account under s. 20.445 (3) (ja). The department or its designee may collect unpaid fees under this paragraph 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 paragraph, 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 paragraph 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.

SECTION 3065. 775.01 of the statutes is amended to read:

775.01 Actions against state; bond. ~~Upon~~ Except as provided in s. 893.83, upon the refusal of the legislature to allow a claim against the state, the claimant may commence an action against the state by service as provided in s. 801.11 (3) and by filing with the clerk of court a bond, not exceeding $1,000, with 2 or more sureties, to be approved by the attorney general, to the effect that the claimant will indemnify the state against all costs that may accrue in such action and pay to the clerk of court all costs, in case the claimant fails to obtain judgment against the state.

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 3073. 799.01 (1) (am) of the statutes is amended to read:

799.01 **(1)** (am) *Return of earnest money.* Actions for the return of earnest money tendered pursuant to a contract for purchase of real property, including a condominium unit, as defined in s. 703.02 (15), ~~and time–share property, as defined in s. 707.02 (32),~~ that includes 1 to 4 dwelling units, as defined in s. 101.61 (1), by sale, exchange or land contract unless the transfer is exempt from the real estate transfer fee under s. 77.25 regardless of the amount claimed.

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, any applicable consumer information assessment 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~~ <u>757.05</u>, 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<u>, any consumer information assessment that would be applicable under s. 100.261</u> 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, any applicable consumer information assessment 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 3081. 800.09 (1) (c) of the statutes is amended to read:

800.09 **(1)** (c) ~~The~~ Subject to the fee under s. 85.135, if applicable, the court may suspend the defendant's operating privilege, as defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments and costs are paid, if the defendant has not done so within 60 days after the date the restitution or payments or both are to be made under par. (a) and has not notified the court that he or she is unable to comply with the judgment, as provided under s. 800.095 (4) (a), except that the suspension period may not exceed 5 years. The court shall take possession of the suspended license and shall forward the license, along with a notice of the suspension clearly stating that the suspension is for failure to comply with a judgment of the court, to the department of transportation.

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, any applicable consumer information assessment 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 3083. 800.095 (4) (b) 4. of the statutes is amended to read:

800.095 **(4)** (b) 4. ~~That~~ Subject to the fee under s. 85.135, if applicable, that the defendant's operating privilege, as defined in s. 340.01 (40), be suspended until the judgment is complied with, except that the suspension period may not exceed 5 years.

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. Regardless of whether the department of health and family services joins in prosecuting the claim, the portion of the proceeds of the claim that represents benefits paid under subch. IV of ch. 49 as a result of the occurrence of injury, sickness or death for which the claim arose shall be paid to the department of health and family services pursuant to s. 49.89 (5).

SECTION 3088. 813.16 (7) of the statutes is amended to read:

813.16 **(7)** If the person seeking the appointment of a receiver under sub. (1) is a corporation supervised by the division of savings ~~and loan~~ <u>institutions</u>, home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation or resolution trust corporation, the court, unless the opposing party objects, shall appoint an officer of such corporation as receiver to act without compensation and to give such bond as the court requires.

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 3090. 814.04 (1) (a) of the statutes is amended to read:

814.04 **(1)** (a) When the amount recovered or the value of the property involved is ~~$1,000 or over~~ equal to or greater than the maximum amount specified in s. 799.01 (1) (d), attorney fees ~~shall be $100~~ may not exceed $500; when it is less than ~~$1,000 and is $500 or over, $50~~ the maximum amount specified in s. 799.01 (1) (d), but is $1,000 or more, attorney fees may not exceed $300; when it is less than ~~$500 and is $200 or over, $25; and when it is less than $200, $15~~ $1,000, attorney fees may not exceed $100. In all other cases in which there is no amount recovered or that do not involve property, attorney fees may not exceed $500.

SECTION 3091. 814.04 (1) (b) of the statutes is repealed.

SECTION 3092. 814.04 (2) of the statutes is amended to read:

814.04 **(2)** DISBURSEMENTS. All the necessary disbursements and fees allowed by law; the compensation of referees; a reasonable disbursement for the service of process or other papers in an action when the same are served by a person authorized by law other than an officer, but the item may not exceed the authorized sheriff's fee for the same service; amounts actually paid out for certified and other copies of papers and records in any public office; postage, ~~telegraphing~~ photocopying,

telephoning, electronic communications, facsimile transmissions and express or overnight delivery; depositions including copies; plats and photographs, not exceeding ~~$50~~ $100 for each item; an expert witness fee not exceeding ~~$100~~ $300 for each expert who testifies, exclusive of the standard witness fee and mileage which shall also be taxed for each expert; and in actions relating to or affecting the title to lands, the cost of procuring an abstract of title to the lands. Guardian ad litem fees shall not be taxed as a cost or disbursement.

SECTION 3093. 814.07 of the statutes is amended to read:

814.07 Costs on motion. Costs may be allowed on a motion, in the discretion of the court or judge, not exceeding ~~$50~~ $300, and may be absolute or directed to abide the event of the action.

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 3096. 814.613 of the statutes is created to read:

814.613 Fees for driver's license suspensions or revocations. A court may require a person to pay a fee upon ordering the suspension or revocation of that person's operating privilege under s. 345.47 (1), 800.09 (1) (c), 800.095 (4) (b) 4., 938.17 (2) (d), 938.34 (8) or 938.343 (2), if the operating privilege was suspended or revoked solely for failure to pay a forfeiture imposed for violating an ordinance that is unrelated to the violator's operation of a motor vehicle. The amount of the fee may not exceed the amount that the court is required to pay under s. 85.135.

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 3100. 814.65 (6) of the statutes is created to read:

814.65 **(6)** FEE FOR DRIVER'S LICENSE SUSPENSION OR REVOCATION. A municipal court may require a person to pay a fee upon ordering the suspension or revocation of that person's operating privilege under s. 345.47 (1), 800.09 (1) (c), 800.095 (4) (b) 4., 938.17 (2) (d), 938.34 (8) or 938.343 (2), if the operating privilege was suspended or revoked solely for failure to pay a forfeiture imposed for violating an ordinance that is unrelated to the violator's operation of a motor vehicle. The amount of the fee may not exceed the amount that the court is required to pay under s. 85.135.

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 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 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 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., the family care benefit that is recoverable under rules promulgated under s. 46.286 (7) 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 3112. 880.60 (4) of the statutes is amended to read:

880.60 **(4)** LIMITATION ON NUMBER OF WARDS. No person or corporate entity other than a county having a population of 100,000 or more~~,~~ or a bank or trust company ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of more than 5 wards at one time, unless all the wards are members of one family. ~~Such~~ A county shall act only for patients in its county hospital or mental hospital and for residents of its county home or infirmary, and shall serve without fee. ~~The commandant shall act only for members of the Wisconsin veterans home and shall serve without fee.~~ Upon presentation of a petition by an attorney of the U.S. department of veterans affairs or other interested person, alleging that a guardian is acting in a fiduciary capacity for more than 5 wards ~~as herein provided~~ and requesting the guardian's discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting ~~forthwith~~ from ~~such~~ the guardian and shall discharge the guardian from guardianship in excess of 5 and ~~forthwith~~ appoint a successor.

SECTION 3113. 893.83 of the statutes is created to read:

893.83 Claims against state and local governments resulting from computational date errors. (1) In this section:

(a) "Action" means any civil action or proceeding including any action for declaratory or injunctive relief.

(b) "Computational date error" means:

1. The failure of a computer system to handle correctly and consistently all dates before, during and after the year 2000; or

2. The inability of a computer system to correctly interpret, produce, calculate, generate, utilize, manipulate, represent or account for all dates before, during and after the year 2000.

(c) "Computer system" means any electronic or collection of devices, including support devices, networks, and embedded chips, that contains computer programs or electronic instructions and that performs functions including logic, arithmetic, data processing, data storage and retrieval, communication or control.

(d) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or a combination of an instrumentality of the state and any of the foregoing.

(e) "State governmental unit" means this state, and every subunit or instrumentality of this state, including any institution or authority, regardless of whether moneys are appropriated to the unit.

(2) No person may bring an action against a state authority or local governmental unit or an officer, employe or agent of a state or local governmental unit acting within the scope of his or her employment or agency for the alleged failure

of the authority, unit, officer, employe or agent to plan for, test for, detect, disclose, prevent, report on, reprogram, remediate or otherwise effect control over a computational date error or to have in place alternative provisions to deal with the effects of a computational date error or for any other act or omission related to a computational date error for which there would otherwise be liability if the authority, unit, officer, employe or agent made a good faith effort to address the alleged failure.

(3) Any provision of a contract entered into, extended, modified or renewed by a state or local governmental unit or by a state authority on or after the effective date of this subsection .... [revisor inserts date], contrary to sub. (2) is void.

SECTION 3114. 895.82 of the statutes is created to read:

895.82 Interpretation of contracts and other legal instruments: European currency. (1) In this section:

(a) "Euro" means the currency of participating member states of the European Union who have adopted a single currency in accordance with the provisions of the 1992 Treaty on European Union.

(b) "European currency unit" means the currency basket that is the monetary unit of account of the European Economic Community.

(2) Unless otherwise required in a contract or other legal instrument, if a subject or medium of payment of a contract or other legal instrument is a currency that has been replaced by the euro, the euro shall be a commercially reasonable substitute for that currency. The valuation of the currency in euros shall be determined in accordance with any applicable regulations adopted by the council of the European Union.

(3) Unless otherwise required in a contract or other legal instrument, if a subject or medium of payment of a contract or other legal instrument is the European

currency unit, the euro shall be a commercially reasonable substitute for the European currency unit. The valuation of the European currency unit in euros shall be determined in accordance with any applicable regulations adopted by the council of the European Union.

(4) No person may discharge or otherwise excuse performance under any contract or other legal instrument, nor unilaterally alter the terms of, or terminate, any contract or other legal instrument, as a result of sub. (2) or (3).

(5) This section shall apply only to a contract or other legal instrument entered into or executed in this state or that contains provisions requiring the contract or other legal instrument to be interpreted according to the law of this state.

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~~ <u>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</u>.

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.~~ <u>115.361</u> to intervene in the abuse of alcohol and other drugs by pupils.

SECTION 3117. 938.02 (15g) of the statutes is amended to read:

938.02 **(15g)** "Secured child caring institution" means a child caring institution operated by a child welfare agency that is licensed under s. 48.66 (1) <u>(b)</u> to hold in secure custody persons adjudged delinquent.

SECTION 3118. 938.02 (15m) of the statutes is amended to read:

938.02 **(15m)** "Secured correctional facility" means a correctional institution operated or contracted for by the department of corrections or operated by the department of health and family services for holding in secure custody persons adjudged delinquent. "Secured correctional facility" includes the Mendota juvenile treatment center under s. 46.057, the facility at which the juvenile boot camp program under s. 938.532 is operated~~,~~ and a facility authorized under s. 938.533 (3) (b), 938.538 (4) (b) or 938.539 (5).

SECTION 3119. 938.02 (15p) of the statutes is created to read:

938.02 **(15p)** "Secured group home" means a group home operated by a county department that is licensed under s. 48.66 (1) (b) to hold in secure custody persons who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4h) or (4m).

SECTION 3120. 938.02 (17) of the statutes is amended to read:

938.02 **(17)** "Shelter care facility" means a nonsecure place of temporary care and physical custody for juveniles, including a holdover room, licensed by the department of health and family services under s. 48.66 (1) (a).

SECTION 3121. 938.06 (1) (a) 2. of the statutes is amended to read:

938.06 **(1)** (a) 2. ~~The~~ Subject to subd. 2m., the chief judge of the judicial administrative district shall formulate written judicial policy governing intake and court services for juvenile matters under this chapter and the director shall be charged with executing the judicial policy. The chief judge shall direct and supervise the work of all personnel of the court, except the work of the district attorney or corporation counsel assigned to the court. The chief judge may delegate his or her supervisory functions under s. 938.065 (1).

SECTION 3122. 938.06 (1) (a) 2m. of the statutes is created to read:

938.06 **(1)** (a) 2m. In formulating judicial policy under subd. 2. governing intake and court services, the chief judge may not direct the department of health and family services to provide those services in any case in which the referral information indicates that a juvenile should be referred to the court as delinquent, in need of protection or services under this chapter or in violation of a civil law or ordinance, unless that information indicates that the juvenile should also be referred to the court as in need of protection or services under ch. 48. The chief judge shall direct the department of health and family services and the county department to coordinate the provision of services in cases in which the intake worker determines under s. 48.24 (1) that prima facie jurisdiction exists under this chapter instead of or in addition to ch. 48 and in cases in which the intake worker determines under s. 938.24 (1) that prima facie jurisdiction exists under ch. 48 instead of or in addition to this chapter.

SECTION 3123. 938.069 (1) (dj) of the statutes is amended to read:

938.069 **(1)** (dj) Provide aftercare services for a juvenile who has been released from a secured correctional facility ~~or~~, a secured child caring institution <u>or a secured group home</u>.

SECTION 3124. 938.08 (3) (a) (intro.) of the statutes is amended to read:

938.08 **(3)** (a) (intro.) In addition to the law enforcement authority specified in sub. (2), department personnel designated by the department ~~and~~, personnel of an agency contracted with under s. 301.08 (1) (b) 3. designated by agreement between the agency and the department <u>and personnel of a county contracted with under s. 301.08 (1) (b) 4. designated by agreement between the county and the department</u>

have the power of law enforcement authorities to take a juvenile into physical custody under the following conditions:

SECTION 3125. 938.08 (3) (a) 1. of the statutes is amended to read:

938.08 **(3)** (a) 1. If they are in prompt pursuit of a juvenile who has run away from a secured correctional facility ~~or~~, a child caring institution or a secured group home.

SECTION 3126. 938.08 (3) (a) 2. of the statutes is amended to read:

938.08 **(3)** (a) 2. If the juvenile has failed to return to a secured correctional facility ~~or~~, a child caring institution or a secured group home after any authorized absence.

SECTION 3127. 938.08 (3) (b) of the statutes is amended to read:

938.08 **(3)** (b) A juvenile who is taken into custody under par. (a) may be returned directly to the secured correctional facility ~~or~~, child caring institution or secured group home and shall have a hearing regarding placement in a disciplinary cottage or in disciplinary status in accordance with ch. 227.

SECTION 3128. 938.17 (1) (c) of the statutes is amended to read:

938.17 **(1)** (c) If the court of civil or criminal jurisdiction orders the juvenile to serve a period of incarceration of 6 months or more, that court shall petition the court assigned to exercise jurisdiction under this chapter and ch. 48 to order one or more of the dispositions provided in s. 938.34, including placement of the juvenile in a secured correctional facility or a secured group home under s. 938.34 (4m), if appropriate.

SECTION 3129. 938.17 (2) (d) of the statutes is amended to read:

938.17 **(2)** (d) If a municipal court finds that the juvenile violated a municipal ordinance other than an ordinance enacted under s. 118.163 or an ordinance that

conforms to s. 125.07 (4) (a) or (b), 125.085 (3) (b), 125.09 (2), 961.573 (2), 961.574 (2) or 961.575 (2), the court shall enter any of the dispositional orders permitted under s. 938.343 that are authorized under par. (cm). If a juvenile fails to pay the forfeiture imposed by the municipal court, the court may not impose a jail sentence but may suspend any license issued under ch. 29 for not less than 30 days nor more than 5 years, or, subject to the fee under s. 85.135, if applicable may suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less than 30 days nor more than 5 years. If a court suspends a license or privilege under this section, the court shall immediately take possession of the applicable license and forward it to the department that issued the license, together with the notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the period of suspension, the court shall immediately notify the department, which shall thereupon return the license to the person.

SECTION 3130. 938.183 (1) (a) of the statutes is amended to read:

938.183 **(1)** (a) A juvenile who has been adjudicated delinquent and who is alleged to have violated s. 940.20 (1) or 946.43 while placed in a secured correctional facility, a secure detention facility ~~or~~, a secured child caring institution or a secured group home or who has been adjudicated delinquent and who is alleged to have committed a violation of s. 940.20 (2m).

SECTION 3131. 938.208 (2) of the statutes is amended to read:

938.208 **(2)** Probable cause exists to believe that the juvenile is a fugitive from another state or has run away from a secured correctional facility, a secured child caring institution or a secured group home and there has been no reasonable opportunity to return the juvenile.

SECTION 3132. 938.22 (title) of the statutes is amended to read:

938.22 (title) **Establishment of ~~secure detention facilities and shelter care~~ county or private juvenile facilities.**

SECTION 3133. 938.22 (1) (a) of the statutes is amended to read:

938.22 **(1)** (a) Subject to s. 48.66 (1) (b), the county board of supervisors of any county may establish a secured group home or a secure detention facility in accordance with ss. 301.36 and 301.37 or the county boards of supervisors for 2 or more counties may jointly establish a secure detention facility in accordance with ss. 46.20, 301.36 and 301.37. The county board of supervisors of any county may establish a ~~secure detention facility or a~~ shelter care facility ~~or both~~ in accordance with ss. 46.16 and 46.17 or the county boards of supervisors for 2 or more counties may jointly establish a ~~secure detention facility or a~~ shelter care facility ~~or both~~ in accordance with ss. 46.16, 46.17 and 46.20 ~~and 301.36~~. A private entity may establish a secure detention facility in accordance with ss. 301.36 and 301.37 and contract with one or more county boards of supervisors under s. 938.222 for holding juveniles in the private secure detention facility.

SECTION 3134. 938.22 (1) (b) of the statutes is amended to read:

938.22 **(1)** (b) Subject to sub. (3) (ar), in counties having a population of less than 500,000, the nonjudicial operational policies of a public secured group home, secure detention facility or shelter care facility shall be determined by the county board of supervisors or, in the case of a public secured group home, secure detention facility or shelter care facility established by 2 or more counties, by the county boards of supervisors for the 2 or more counties jointly. Those policies shall be executed by the superintendent appointed under sub. (3) (a).

SECTION 3135. 938.22 (1) (c) of the statutes is amended to read:

938.22 **(1)** (c) In counties having a population of 500,000 or more, the nonjudicial operational policies of a public secured group home, secure detention facility and the detention section of the children's court center shall be established by the county board of supervisors, and the execution thereof shall be the responsibility of the director of the children's court center.

SECTION 3136. 938.22 (2) (a) of the statutes is amended to read:

938.22 **(2)** (a) Counties shall submit plans for the secured group home, secure detention facility or juvenile portion of the county jail to the department of corrections and submit plans for the shelter care facility to the department of health and family services. A private entity that proposes to establish a secure detention facility shall submit plans for the secure detention facility to the department of corrections. The applicable department shall review the submitted plans. A county or a private entity may not implement any such plan unless the applicable department has approved the plan. The department of corrections shall promulgate rules establishing minimum requirements for the approval of the operation of secured group homes, secure detention facilities and the juvenile portion of county jails. The plans and rules shall be designed to protect the health, safety and welfare of the juveniles ~~in these~~ placed in those facilities.

SECTION 3137. 938.22 (3) (a) of the statutes is amended to read:

938.22 **(3)** (a) In counties having a population of less than 500,000, public secured group homes, secure detention facilities and public shelter care facilities shall be in the charge of a superintendent. The county board of supervisors or, where 2 or more counties operate joint public secured group homes, secure detention facilities or ~~public~~ shelter care facilities, the county boards of supervisors for the 2 or more counties jointly shall appoint the superintendent and other necessary

personnel for the care and education of the juveniles ~~in secure detention or shelter care~~ placed in those facilities, subject to par. (am) and to civil service regulations in counties having civil service.

SECTION 3138. 938.22 (3) (b) of the statutes is amended to read:

938.22 **(3)** (b) In counties having a population of 500,000 or more, the director of the children's court center shall be in charge of and responsible for public secured group homes, secure detention facilities, the secure detention section of the center and the personnel assigned to this section, including a detention supervisor or superintendent. The director of the children's court center may also serve as superintendent of detention if the county board of supervisors so determines.

SECTION 3139. 938.22 (7) (a) of the statutes is amended to read:

938.22 **(7)** (a) No person may establish a shelter care facility without first obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to operate a shelter care facility, a person must meet the minimum requirements for a license established by the department of health and family services under s. 48.67, meet the requirements specified in s. 48.685 and pay the license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter care facility is valid until revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).

SECTION 3140. 938.22 (7) (b) of the statutes is amended to read:

938.22 **(7)** (b) Before the department of health and family services may issue a license under s. 48.66 (1) (a) to operate a shelter care facility, the shelter care facility must pay to that department a biennial fee of $60.50, plus a biennial fee of $18.15 per juvenile, based on the number of juveniles that the shelter care facility is licensed to serve. A shelter care facility that wishes to continue a license issued under s. 48.66 (1) (a) shall pay the fee under this paragraph by the continuation date of the license.

A new shelter care facility shall pay the fee under this paragraph by no later than 30 days before the opening of the shelter care facility.

SECTION 3141. 938.22 (7) (c) of the statutes is amended to read:

938.22 **(7)** (c) A shelter care facility that wishes to continue a license issued under s. 48.66 (1) (a) and that fails to pay the fee under par. (b) by the continuation date of the license or a new shelter care facility that fails to pay the fee under par. (b) by 30 days before the opening of the shelter care facility shall pay an additional fee of $5 per day for every day after the deadline that the facility fails to pay the fee.

SECTION 3142. 938.23 (1) (a) of the statutes is amended to read:

938.23 **(1)** (a) Any juvenile alleged to be delinquent under s. 938.12 or held in a secure detention facility shall be represented by counsel at all stages of the proceedings, but a juvenile 15 years of age or older may waive counsel if the court is satisfied that the waiver is knowingly and voluntarily made and the court accepts the waiver. If the waiver is accepted, the court may not place the juvenile in a secured correctional facility, a secured child caring institution or a secured group home, transfer supervision of the juvenile to the department for participation in the serious juvenile offender program or transfer jurisdiction over the juvenile to adult court.

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 3151. 938.33 (3) (intro.) of the statutes is amended to read:

938.33 **(3)** CORRECTIONAL PLACEMENT REPORTS. (intro.) A report recommending placement of a juvenile in a secured correctional facility ~~under the supervision of the department or,~~ a secured child caring institution <u>or a secured group home</u> shall be in writing, except that the report may be presented orally at the dispositional

hearing if the juvenile and the juvenile's counsel consent. A report that is presented orally shall be transcribed and made a part of the court record. In addition to the information specified under sub. (1) (a) to (d), the report shall include all of the following:

SECTION 3152. 938.33 (3) (a) of the statutes is amended to read:

938.33 **(3)** (a) A description of any less restrictive alternatives that are available and that have been considered, and why they have been determined to be inappropriate. If the judge has found that any of the conditions specified in s. 938.34 (4m) (b) 1., 2. or 3. applies, the report shall indicate that a less restrictive alternative than placement in a secured correctional facility ~~or~~, a secured child caring institution <u>or a secured group home</u> is not appropriate.

SECTION 3153. 938.33 (3r) of the statutes is amended to read:

938.33 **(3r)** SERIOUS JUVENILE OFFENDER REPORT. If a juvenile has been adjudicated delinquent for committing a violation for which the juvenile may be placed in the serious juvenile offender program under s. 938.34 (4h) (a), the report shall be in writing and, in addition to the information specified in sub. (1) and in sub. (3) or (4), if applicable, shall include an analysis of the juvenile's suitability for placement in the serious juvenile offender program under s. 938.34 (4h) or in a secured correctional facility <u>or a secured group home</u> under s. 938.34 (4m), a placement specified in s. 938.34 (3) or placement in the juvenile's home with supervision and community–based programming and a recommendation as to the type of placement for which the juvenile is best suited.

SECTION 3154. 938.34 (3) (dm) of the statutes is repealed.

SECTION 3155. 938.34 (4m) (intro.) of the statutes is amended to read:

938.34 **(4m)** CORRECTIONAL PLACEMENT. (intro.) Place the juvenile in a secured correctional facility, a secured child caring institution or a secured group home under the supervision of the department if the juvenile is 12 years of age or over or, if the juvenile is under 12 years of age, in a secured child caring institution or a secured group home under the supervision of the department, unless the department, after an examination under s. 938.50, determines that placement in a secured correctional facility is more appropriate, but only if all of the following apply:

SECTION 3156. 938.34 (4n) (intro.) of the statutes is amended to read:

938.34 **(4n)** AFTERCARE SUPERVISION. (intro.) Subject to s. 938.532 (3) and to any arrangement between the department and a county department regarding the provision of aftercare supervision for juveniles who have been released from a secured correctional facility ~~or~~, a secured child caring institution or a secured group home, designate one of the following to provide aftercare supervision for the juvenile following the juvenile's release from the secured correctional facility ~~or~~, secured child caring institution or secured group home:

SECTION 3157. 938.34 (4n) (b) of the statutes is amended to read:

938.34 **(4n)** (b) The county department of the county of the court that placed the juvenile in the secured correctional facility ~~or~~, secured child caring institution or secured group home.

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 3159. 938.34 (8) of the statutes is amended to read:

938.34 **(8)** FORFEITURE. Impose a forfeiture based upon a determination that this disposition is in the best interest of the juvenile and in aid of rehabilitation. The maximum forfeiture that the court may impose under this subsection for a violation by a juvenile is the maximum amount of the fine that may be imposed on an adult for committing that violation or, if the violation is applicable only to a person under 18 years of age, $100. Any such order shall include a finding that the juvenile alone is financially able to pay the forfeiture and shall allow up to 12 months for payment. If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order other alternatives under this section, in accordance with the conditions specified in this chapter; or the court may suspend any license issued under ch. 29 for not less than 30 days nor more than 5 years, or, subject to the fee under s. 85.135, if applicable, may suspend the juvenile's operating privilege as defined in s. 340.01 (40) for not less than 30 days nor more than 5 years. If the court suspends any license under this subsection, the clerk of the court shall immediately take possession of the suspended license and forward it to the department which issued the license, together with a notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the period of suspension, the suspension shall be reduced to the time period which has already elapsed and the court shall immediately notify the department which shall then return the license to the juvenile. Any recovery under this subsection shall be reduced by the amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

SECTION 3160. 938.34 (8d) (c) of the statutes is amended to read:

938.34 **(8d)** (c) If a juvenile placed in a secured correctional facility ~~or~~, a secured child caring institution or a secured group home fails to pay the surcharge under par.

(a), the department shall assess and collect the amount owed from the juvenile's wages or other moneys. Any amount collected shall be transmitted to the state treasurer.

SECTION 3161. 938.343 (2) of the statutes is amended to read:

938.343 **(2)** Impose a forfeiture not to exceed the maximum forfeiture that may be imposed on an adult for committing that violation or, if the violation is only applicable to a person under 18 years of age, $50. Any such order shall include a finding that the juvenile alone is financially able to pay and shall allow up to 12 months for the payment. If a juvenile fails to pay the forfeiture, the court may suspend any license issued under ch. 29 or, subject to the fee under s. 85.135, if applicable, may suspend the juvenile's operating privilege as defined in s. 340.01 (40), for not less than 30 days nor more than 5 years. The court shall immediately take possession of the suspended license and forward it to the department which issued the license, together with the notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the period of suspension, the court shall immediately notify the department, which will thereupon return the license to the person. Any recovery under this subsection shall be reduced by the amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

SECTION 3162. 938.345 (1) (a) of the statutes is amended to read:

938.345 **(1)** (a) Place the juvenile in the serious juvenile offender program, a secured correctional facility ~~or~~, a secured child caring institution or a secured group home.

SECTION 3163. 938.355 (1) of the statutes is amended to read:

938.355 **(1)** INTENT. In any order under s. 938.34 or 938.345, the court shall decide on a placement and treatment finding based on evidence submitted to the court. The disposition shall employ those means necessary to promote the objectives specified in s. 938.01. If the disposition places a juvenile who has been adjudicated delinquent outside the home under s. 938.34 (3) (c) or (d), the order shall include a finding that the juvenile's current residence will not safeguard the welfare of the juvenile or the community due to the serious nature of the act for which the juvenile was adjudicated delinquent. If the judge has determined that any of the conditions specified in s. 938.34 (4m) (b) 1., 2. or 3. applies, that determination shall be prima facie evidence that a less restrictive alternative than placement in a secured correctional facility ~~or~~, a secured child caring institution or a secured group home is not appropriate. If information under s. 938.331 has been provided in a court report under s. 938.33 (1), the court shall consider that information when deciding on a placement and treatment finding.

SECTION 3164. 938.357 (3) of the statutes is amended to read:

938.357 **(3)** Subject to sub. (4) (b) and (c) and (5) (e), if the proposed change in placement would involve placing a juvenile in a secured correctional facility ~~or in~~, a secured child caring institution or a secured group home, notice shall be given as provided in sub. (1). A hearing shall be held, unless waived by the juvenile, parent, guardian and legal custodian, before the judge makes a decision on the request. The juvenile shall be entitled to counsel at the hearing, and any party opposing or favoring the proposed new placement may present relevant evidence and cross–examine witnesses. The proposed new placement may be approved only if the judge finds, on the record, that the conditions set forth in s. 938.34 (4h) or (4m) have been met.

SECTION 3165. 938.357 (4) (a) of the statutes is amended to read:

938.357 **(4)** (a) When the juvenile is placed with the department under s. 938.183 or 938.34 (4m), the department may, after an examination under s. 938.50, place the juvenile in a secured correctional facility ~~or~~, a secured child caring institution, a secured group home or on aftercare supervision, either immediately or after a period of placement in a secured correctional facility ~~or~~, a secured child caring institution or a secured group home. The department shall send written notice of the change to the parent, guardian, legal custodian, county department designated under s. 938.34 (4n), if any, and committing court. If the department places a juvenile in a Type 2 secured correctional facility operated by a child welfare agency, the department shall reimburse the child welfare agency at the rate established under s. 46.037 that is applicable to the type of placement that the child welfare agency is providing for the juvenile. A juvenile who is placed in a Type 2 secured correctional facility ~~or~~, a secured child caring institution or a secured group home remains under the supervision of the department, remains subject to the rules and discipline of ~~that~~ the department and is considered to be in custody, as defined in s. 946.42 (1) (a).

SECTION 3166. 938.357 (4g) (a) of the statutes is amended to read:

938.357 **(4g)** (a) Not later than 120 days after the date on which the juvenile is placed in a secured correctional facility ~~or~~, a secured child caring institution or a secured group home, or within 30 days after the date on which the department requests the aftercare plan, whichever is earlier, the aftercare provider designated under s. 938.34 (4n) shall prepare an aftercare plan for the juvenile. If the aftercare provider designated under s. 938.34 (4n) is a county department, that county department shall submit the aftercare plan to the department within the time limits

specified in this paragraph, unless the department waives those time limits under par. (b).

SECTION 3167. 938.357 (4g) (b) of the statutes is amended to read:

938.357 **(4g)** (b) The department may waive the time period within which an aftercare plan must be prepared and submitted under par. (a) if the department anticipates that the juvenile will remain in the secured correctional facility ~~or,~~ secured child caring institution <u>or secured group home</u> for a period exceeding 8 months or if the juvenile is subject to s. 48.366 or 938.183. If the department waives that time period, the aftercare provider designated under s. 938.34 (4n) shall prepare the aftercare plan within 30 days after the date on which the department requests the aftercare plan.

SECTION 3168. 938.357 (4g) (d) of the statutes is amended to read:

938.357 **(4g)** (d) A juvenile may be released from a secured correctional facility ~~or,~~ a secured child caring institution <u>or a secured group home</u> whether or not an aftercare plan has been prepared under this subsection.

SECTION 3169. 938.357 (5) (e) of the statutes is amended to read:

938.357 **(5)** (e) If the hearing examiner finds that the juvenile has violated a condition of aftercare supervision, the hearing examiner shall determine whether confinement in a secured correctional facility ~~or,~~ a secured child caring institution <u>or a secured group home</u> is necessary to protect the public, to provide for the juvenile's rehabilitation or to not depreciate the seriousness of the violation.

SECTION 3170. 938.357 (5) (f) of the statutes is amended to read:

938.357 **(5)** (f) Review of a revocation decision shall be by certiorari to the court by whose order the juvenile was placed in a secured correctional facility ~~or,~~ a secured child caring institution <u>or a secured group home</u>.

SECTION 3171. 938.38 (3) (a) of the statutes is amended to read:

938.38 **(3)** (a) If the juvenile is alleged to be delinquent and is being held in a secure detention facility, juvenile portion of a county jail or shelter care facility, and the agency intends to recommend that the juvenile be placed in a secured correctional facility ~~or~~, a secured child caring institution or a secured group home, the agency is not required to submit the permanency plan unless the court does not accept the recommendation of the agency. If the court places the juvenile in any facility outside of the juvenile's home other than a secured correctional facility ~~or~~, a secured child caring institution or a secured group home, the agency shall file the permanency plan with the court within 60 days after the date of disposition.

SECTION 3172. 938.48 (4) of the statutes is amended to read:

938.48 **(4)** Provide appropriate care and training for juveniles under its supervision under s. 938.183, 938.34 (4h), (4m) or (4n) or 938.357 (4); including serving those juveniles in their own homes, placing them in licensed foster homes or licensed treatment foster homes in accordance with s. 48.63 or licensed group homes, contracting for their care by licensed child welfare agencies or replacing them in ~~juvenile~~ secured correctional ~~institutions or~~ facilities, secured child caring institutions or secured group homes in accordance with rules promulgated under ch. 227, except that the department may not purchase the educational component of private day treatment programs for juveniles in its custody unless the department, the school board as defined in s. 115.001 (7) and the state superintendent of public instruction all determine that an appropriate public education program is not available. Disputes between the department and the school district shall be resolved by the state superintendent of public instruction.

SECTION 3173. 938.51 (1) (intro.) of the statutes is amended to read:

938.51 **(1)** (intro.) At least 15 days prior to the date of release from a secured correctional facility ~~or,~~ a secured child caring institution or a secured group home of a juvenile who has been adjudicated delinquent and at least 15 days prior to the release from the supervision of the department or a county department of a juvenile who has been adjudicated delinquent, the department or county department having supervision over the juvenile shall make a reasonable attempt to do all of the following:

SECTION 3174. 938.51 (1m) of the statutes is amended to read:

938.51 **(1m)** The department or county department having supervision over a juvenile described in sub. (1) shall determine the local agencies that it will notify under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's intended residence specified in the juvenile's aftercare supervision plan or, if those methods do not indicate the community in which the juvenile will reside following release from a secured correctional facility ~~or, from,~~ a secured child caring institution or a secured group home or from the supervision of the department or county department, the community in which the juvenile states that he or she intends to reside.

SECTION 3175. 938.51 (4) (intro.) of the statutes is amended to read:

938.51 **(4)** (intro.) If a juvenile described in sub. (1), (1d) or (1g) escapes from a secured correctional facility, child caring institution, secured group home, inpatient facility, secure detention facility or juvenile portion of a county jail, or from the custody of a peace officer or a guard of such a facility, institution, home or jail, or has been allowed to leave a secured correctional facility, child caring institution, secured group home, inpatient facility, secure detention facility or juvenile portion of a county jail for a specified period of time and is absent from the facility, institution,

home or jail for more than 12 hours after the expiration of the specified period, as soon as possible after the department or county department having supervision over the juvenile discovers that escape or absence, that department or county department shall make a reasonable attempt to notify by telephone all of the following persons:

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 3177. 938.533 (3) (a) of the statutes is amended to read:

938.533 **(3)** (a) A participant in the corrective sanctions program remains under the supervision of the department, remains subject to the rules and discipline of that department and is considered to be in custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 938.19 to 938.21, if a juvenile violates a condition of that juvenile's participation in the corrective sanctions program the department may, without a hearing, take the juvenile into custody and place the juvenile in a secured detention facility or return the juvenile to placement in a Type 1 secured correctional facility ~~or~~, a secured child caring institution <u>or a secured group home</u>.

SECTION 3178. 938.535 of the statutes is amended to read:

938.535 Early release and intensive supervision program; limits. The department may establish a program for the early release and intensive supervision of juveniles who have been placed in a secured correctional facility ~~or~~, a secured child caring institution <u>or a secured group home</u> under s. 938.183 or 938.34 (4m). The program may not include any juveniles who have been placed in a secured correctional facility ~~or~~, a secured child caring institution <u>or a secured group home</u> as a result of a delinquent act involving the commission of a violent crime as defined in s. 969.035, but not including the crime specified in s. 948.02 (1).

SECTION 3179. 938.538 (3) (a) 1. of the statutes is amended to read:

938.538 **(3)** (a) 1. Subject to subd. 1m., placement in a Type 1 secured correctional facility, a secured child caring institution, a secured group home or, if the participant is 17 years of age or over or 15 years of age or over and transferred under s. 938.357 (4) (d), a Type 1 prison, as defined in s. 301.01 (5), for a period of not more than 3 years.

SECTION 3180. 938.538 (3) (a) 1m. of the statutes is amended to read:

938.538 **(3)** (a) 1m. If the participant has been adjudicated delinquent for committing an act that would be a Class A felony if committed by an adult, placement in a Type 1 secured correctional facility, a secured child caring institution, a secured group home or, if the participant is 17 years of age or over or 15 years of age or over and transferred under s. 938.357 (4) (d), a Type 1 prison, as defined in s. 301.01 (5), until the participant reaches 25 years of age, unless the participant is released sooner, subject to a mandatory minimum period of confinement of not less than one year.

SECTION 3181. 938.538 (3) (a) 1p. of the statutes is amended to read:

938.538 **(3)** (a) 1p. Alternate care, including placement in a foster home, treatment foster home, group home, secured group home, child caring institution or secured child caring institution.

SECTION 3182. 938.538 (4) (a) of the statutes is amended to read:

938.538 **(4)** (a) A participant in the serious juvenile offender program is under the supervision and control of the department, is subject to the rules and discipline of the department and is considered to be in custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 938.19 to 938.21, if a participant violates a condition of his or her participation in the program under sub. (3) (a) 2. to 9. while placed in a Type 2

secured correctional facility the department may, without a hearing, take the participant into custody and return him or her to placement in a Type 1 secured correctional facility, a secured child caring institution, a secured group home or, if the participant is 17 years of age or over, a Type 1 prison, as defined in s. 301.01 (5). Any intentional failure of a participant to remain within the extended limits of his or her placement while participating in the serious juvenile offender program or to return within the time prescribed by the administrator of the division of intensive sanctions in the department is considered an escape under s. 946.42 (3) (c).

SECTION 3183. 938.57 (1) (c) of the statutes is amended to read:

938.57 **(1)** (c) Provide appropriate protection and services for juveniles in its care, including providing services for juveniles and their families in their own homes, placing the juveniles in licensed foster homes, licensed treatment foster homes or licensed group homes in this state or another state within a reasonable proximity to the agency with legal custody or contracting for services for them by licensed child welfare agencies or replacing them in ~~juvenile~~ secured correctional ~~institutions or~~ facilities, secured child caring institutions or secured group homes in accordance with rules promulgated under ch. 227, except that the county department may not purchase the educational component of private day treatment programs unless the county department, the school board as defined in s. 115.001 (7) and the state superintendent of public instruction all determine that an appropriate public education program is not available. Disputes between the county department and the school district shall be resolved by the state superintendent of public instruction.

SECTION 3184. 938.57 (4) of the statutes is amended to read:

938.57 **(4)** A county department may provide aftercare supervision under s. 938.34 (4n) for juveniles who are released from secured correctional facilities ~~or~~,

secured child caring institutions ~~operated by the department~~ or secured group homes. If a county department intends to change its policy regarding whether the county department or the department shall provide aftercare supervision for juveniles released from secured correctional facilities ~~or~~, secured child caring institutions ~~operated by the department~~ or secured group homes, the county executive or county administrator, or, if the county has no county executive or county administrator, the chairperson of the county board of supervisors, or, for multicounty departments, the chairpersons of the county boards of supervisors jointly, shall submit a letter to the department stating that intent before July 1 of the year preceding the year in which the policy change will take effect.

SECTION 3185. 938.59 (1) of the statutes is amended to read:

938.59 **(1)** The county department shall investigate the personal and family history and environment of any juvenile transferred to its legal custody or placed under its supervision under s. 938.34 (4d) or (4n) and make any physical or mental examinations of the juvenile considered necessary to determine the type of care ~~necessary for the juvenile~~ or placement that is best suited to the juvenile and to the protection of the public. The county department shall screen a juvenile who is examined under this subsection to determine whether the juvenile is in need of special treatment or care because of alcohol or other drug abuse, mental illness or severe emotional disturbance. The county department shall keep a complete record of the information received from the court, the date of reception, all available data on the personal and family history of the juvenile, the results of all tests and examinations given the juvenile and a complete history of all placements of the juvenile while in the legal custody or under the supervision of the county department.

SECTION 3186. 938.78 (3) of the statutes is amended to read:

938.78 **(3)** If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats., or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured correctional facility, child caring institution, <u>secured group home,</u> inpatient facility, as defined in s. 51.01 (10), secure detention facility or juvenile portion of a county jail, or from the custody of a peace officer or a guard of such a facility, institution or jail, or has been allowed to leave a secured correctional facility, child caring institution, <u>secured group home,</u> inpatient facility, secure detention facility or juvenile portion of a county jail for a specified time period and is absent from the facility, institution<u>,</u> <u>home</u> or jail for more than 12 hours after the expiration of the specified period, the department or county department having supervision over the juvenile may release the juvenile's name and any information about the juvenile that is necessary for the protection of the public or to secure the juvenile's return to the facility, institution<u>,</u> <u>home</u> or jail. The department of corrections shall promulgate rules establishing guidelines for the release of the juvenile's name or information about the juvenile to the public.

SECTION 3187. 938.78 (4) of the statutes is created to read:

938.78 **(4)** (a) Except as provided under pars. (b) and (c) or by order of the court, no agency may make available for inspection or disclose the contents of any record kept or information received relating to a foster parent, treatment foster parent or

family–operated group home, as defined in s. 48.627 (1), parent or a family member of a foster parent, treatment foster parent or family–operated group home parent without first receiving the written permission of the foster parent, treatment foster parent or family–operated group home parent.

(b) Paragraph (a) does not apply to the confidential exchange of information between an agency and another social welfare agency. A social welfare agency that obtains information under this paragraph shall keep the information confidential as required under this section and s. 48.78.

(c) Paragraph (a) does not prohibit an agency from disclosing the name and address of a foster parent, treatment foster parent or family–operated group home parent under s. 938.20 (8), 938.33 (5), 938.355 (2) (b) 2., 938.357 (1), (2m) or (4) (a) or (c) 3. or 938.38 (4) (c) or from disclosing to the parent, guardian or legal custodian of a juvenile the location of an alternate placement of the juvenile under s. 938.538 (3) (a) 1p.

SECTION 3188. 939.635 (1) of the statutes is amended to read:

939.635 **(1)** Except as provided in sub. (2), if a person who has been adjudicated delinquent is convicted of violating s. 940.20 (1) while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), <u>or a secured group home, as defined in s. 938.02 (15p),</u> or is convicted of violating s. 940.20 (2m), the court shall sentence the person to not less than 3 years of imprisonment. Except as provided in sub. (2), if a person is convicted of violating s. 946.43 while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), ~~or~~ a secured child caring institution,

as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), the court shall sentence the person to not less than 5 years of imprisonment.

SECTION 3189. 939.635 (2) (b) of the statutes is amended to read:

939.635 **(2)** (b) That imposing the applicable presumptive minimum sentence specified in sub. (1) is not necessary to deter the person or other persons from committing violations of s. 940.20 (1) or 946.43 or other similar offenses while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or from committing violations of s. 940.20 (2m).

SECTION 3190. 940.20 (2m) (a) 1. of the statutes is amended to read:

940.20 **(2m)** (a) 1. "Aftercare agent" means any person authorized by the department of corrections or a county department under s. 46.215, 46.22 or 46.23 to exercise control over a juvenile on aftercare.

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~~ higher educational aids board under s. 39.51 or is a school described in s. 39.51 ~~(9) (f), (g) or (h)~~ (1) (e) 6., 7. or 8.; and

SECTION 3192. 946.42 (1) (a) of the statutes is amended to read:

946.42 **(1)** (a) "Custody" includes without limitation actual custody of an institution, including a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g), a secured group home, as defined in s. 938.02 (15p), a secure detention facility, as defined in s. 938.02 (16), a Type 2 child caring institution, as defined in s. 938.02 (19r), or a juvenile portion of a county jail, or of a peace officer or institution guard and constructive custody of

prisoners and juveniles subject to an order under s. 48.366, 938.183, 938.34 (4d), (4h) or (4m) or 938.357 (4) or (5) (e) temporarily outside the institution whether for the purpose of work, school, medical care, a leave granted under s. 303.068, a temporary leave or furlough granted to a juvenile or otherwise. Under s. 303.08 (6) it means, without limitation, that of the sheriff of the county to which the prisoner was transferred after conviction. It does not include the custody of a probationer, parolee or person on extended supervision by the department of corrections or a probation, extended supervision or parole officer or the custody of a person who has been released to aftercare supervision under ch. 938 unless the person is in actual custody or is subject to a confinement order under s. 973.09 (4).

SECTION 3193. 946.44 (2) (c) of the statutes is amended to read:

946.44 **(2)** (c) "Institution" includes a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g), a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring institution, as defined in s. 938.02 (19r).

SECTION 3194. 946.44 (2) (d) of the statutes is amended to read:

946.44 **(2)** (d) "Prisoner" includes a person who is under the supervision of the department of corrections under s. 938.34 (4h) ~~or~~, who is placed in a secured correctional facility ~~or~~, a secured child caring institution or a secured group home under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e) ~~or~~, who is placed in a Type 2 child caring institution under s. 938.34 (4d) or who is subject to an order under s. 48.366.

SECTION 3195. 946.45 (2) (c) of the statutes is amended to read:

946.45 **(2)** (c) "Institution" includes a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g),

a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring institution, as defined in s. 938.02 (19r).

SECTION 3196. 946.45 (2) (d) of the statutes is amended to read:

946.45 **(2)** (d) "Prisoner" includes a person who is under the supervision of the department of corrections under s. 938.34 (4h) ~~or~~, who is placed in a secured correctional facility ~~or~~, a secured child caring institution or a secured group home under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e) ~~or~~, who is placed in a Type 2 child caring institution under s. 938.34 (4d) or who is subject to an order under s. 48.366.

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~~ higher educational aids board under s. 39.51 or is a school described in s. 39.51 ~~(9) (f), (g) or (h)~~ (1) (e) 6., 7. or 8.; and

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 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) (gc), (k), (kk), (kp) and (mh) 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 3201. 968.255 (7) (b) of the statutes is amended to read:

968.255 **(7)** (b) Is placed in or transferred to 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 a secured group home, as defined in s. 938.02 (15p).

SECTION 3202. 973.013 (3m) of the statutes is amended to read:

973.013 **(3m)** If a person who has not attained the age of 16 years is sentenced to the Wisconsin state prisons, the department of corrections shall place the person at a secured juvenile correctional facility ~~or,~~ a secured child caring institution or a secured group home, unless the department of corrections determines that placement in an institution under s. 302.01 is appropriate based on the person's prior record of adjustment in a correctional setting, if any; the person's present and potential vocational and educational needs, interests and abilities; the adequacy and suitability of available facilities; the services and procedures available for treatment of the person within the various institutions; the protection of the public; and any other considerations promulgated by the department of corrections by rule. This subsection does not preclude the department of corrections from designating an

adult correctional institution as a reception center for the person and subsequently transferring the person to a secured juvenile correctional facility ~~or~~, a secured child caring institution or a secured group home. Section 302.11 and ch. 304 apply to all persons placed in a secured juvenile correctional facility ~~or~~, a secured child caring institution or a secured group home under this subsection.

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, <u>any applicable consumer information assessment,</u> 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 3206. 977.08 (5) (b) (intro.) of the statutes is amended to read:

977.08 **(5)** (b) (intro.) Except as provided in ~~par.~~ pars. (bn) and (br), any of the following constitutes an annual caseload standard for an assistant state public defender in the subunit responsible for trials:

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. (b) based on their need to perform other assigned duties.

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 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 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 3214. 980.01 (1) of the statutes is renumbered 980.01 (1s).

SECTION 3215. 980.01 (1L) and (1m) of the statutes are created to read:

980.01 **(1L)** "Daily cost of institutional care" means the daily cost of programs and facilities for the control, care and treatment of a person placed at a secure mental health unit or facility specified in s. 980.065.

(1m) "Daily cost of supervised release" means the daily cost of providing for all necessary programs and facilities for the control, care and treatment of a person on supervised release under this chapter.

SECTION 3216. 980.015 (2) (b) of the statutes is amended to read:

980.015 **(2)** (b) The anticipated release from 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 a secured group home, as defined in s. 938.02 (15p), of a person adjudicated delinquent under s. 938.183 or 938.34 on the basis of a sexually violent offense.

SECTION 3217. 980.02 (1) (b) 2. of the statutes is amended to read:

980.02 **(1)** (b) 2. The county in which the person will reside or be placed upon his or her discharge from a sentence, release on parole or extended supervision, or release from imprisonment, from a secured correctional facility, as defined in s. 938.02 (15m), ~~or~~ from a secured child caring institution, as defined in s. 938.02 (15g), from a secured group home, as defined in s. 938.02 (15p), or from a commitment order.

SECTION 3218. 980.02 (2) (ag) of the statutes is amended to read:

980.02 **(2)** (ag) The person is within 90 days of discharge or release, on parole, extended supervision or otherwise, from a sentence that was imposed for a conviction for a sexually violent offense, from a secured correctional facility, as defined in s. 938.02 (15m), ~~or~~ from a secured child caring institution, as defined in s. 938.02 (15g), or from a secured group home, as defined in s. 938.02 (15p), if the person was placed in the facility for being adjudicated delinquent under s. 938.183 or 938.34 on the basis of a sexually violent offense or from a commitment order that was entered as a result of a sexually violent offense.

SECTION 3219. 980.02 (4) (am) of the statutes is amended to read:

980.02 **(4)** (am) The circuit court for the county in which the person will reside or be placed upon his or her discharge from a sentence, release on parole or extended supervision~~,~~ or release from imprisonment, from a secured correctional facility, as defined in s. 938.02 (15m), ~~or~~ from a secured child caring institution, as defined in s. 938.02 (15g), from a secured group home, as defined in s. 938.02 (15p), or from a commitment order.

SECTION 3220. 980.02 (4) (b) of the statutes is amended to read:

980.02 **(4)** (b) The circuit court for the county in which the person is in custody under a sentence, a placement to 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 a secured group home, as defined in s. 938.02 (15p), or a commitment order.

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 3222. 980.04 (1) of the statutes is amended to read:

980.04 **(1)** Upon the filing of a petition under s. 980.02, the court shall review the petition to determine whether to issue an order for detention of the person who is the subject of the petition. The person shall be detained only if there is cause to believe that the person is eligible for commitment under s. 980.05 (5). A person

detained under this subsection shall be held in a facility approved by the department. If the person is serving a sentence of imprisonment, is in 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 a secured group home, as defined in s. 938.02 (15p), or is committed to institutional care, and the court orders detention under this subsection, the court shall order that the person be transferred to a detention facility approved by the department. A detention order under this subsection remains in effect until the person is discharged after a trial under s. 980.05 or until the effective date of a commitment order under s. 980.06, whichever is applicable.

SECTION 3223. 980.06 (2) (a) of the statutes is amended to read:

980.06 **(2)** (a) The court shall enter an initial commitment order under this section pursuant to a hearing held as soon as practicable after the judgment that the person who is the subject of a petition under s. 980.02 is a sexually violent person is entered. If the court lacks sufficient information to make the determination required by par. (b) immediately after trial, it may adjourn the hearing and order the department to ~~conduct~~ submit a written report as to whether the criterion under par. (b) for institutional care is met. For purposes of preparing the report the department shall conduct a predisposition investigation using the procedure in s. 972.15 or a supplementary mental examination~~, or both, to assist the court in framing the commitment order. A supplementary mental examination under this paragraph shall be conducted~~ in accordance with s. 971.17 (2) (b) to (f), or both, and may conduct any other investigation or inquiry that it considers appropriate to make the determinations required in the report. The report shall be based on the results of any predisposition investigation, supplementary mental examination and other investigation or inquiry conducted by the department.

SECTION 3224. 980.06 (2) (b) of the statutes is amended to read:

980.06 **(2)** (b) An order for commitment under this section shall specify either institutional care or supervised release. Except as provided in par. (bt), the court shall order institutional care if it finds that it is substantially probable that the person will engage in acts of sexual violence unless the person resides in a facility with a level of security comparable to that of a secure mental health unit or facility specified in s. 980.065.

(bm) In determining under par. (b) whether commitment shall be for institutional care or for supervised release, 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. In deciding whether to order supervised release of person who is a serious child sex offender, the court may not consider, as a factor in making its decision, that the person is a proper subject for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen or that the person is willing to participate in pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen. ~~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 court's commitment order.~~

SECTION 3225. 980.06 (2) (bt) of the statutes is created to read:

980.06 **(2)** (bt) If a court determines under par. (b) that it is substantially probable that the person will engage in acts of sexual violence unless he or she resides in a facility with a level of security comparable to that of a secure mental health unit or facility specified in s. 980.065, but the person establishes that it is likely that the daily cost of supervised release under a plan providing for the person to reside in a secure facility would not exceed the daily cost of institutional care for the person, then the court may withhold final determination of the commitment order and order the department to prepare a supervised release plan under par. (c). After preparation of a supervised release plan ordered under this paragraph, the proceedings shall continue as provided under pars. (cm), (cr), (cs) and (ct), as appropriate.

SECTION 3226. 980.06 (2) (c) of the statutes is amended to read:

980.06 **(2)** (c) If the court finds under par. (b) that the person is appropriate for supervised release <u>or orders preparation of a supervised release plan under par. (bt)</u>, the court shall notify the department. The department and the county department under s. 51.42 in the county of residence of the person, as determined under s. 980.105, shall prepare a plan that identifies the treatment and services, if any, that the person will receive in the community. <u>If the county department of the person's county of residence declines to prepare a plan, the department may arrange for another county to prepare the plan if that county agrees to prepare the plan and if the person will be living in that county. If the department is unable to arrange for another county to prepare a plan, the court shall designate a county department to prepare the plan, order the county department to prepare the plan and place the person on supervised release in that county, except that the court may not so designate the county department in any county where there is a facility in which</u>

persons committed to institutional care under this chapter are placed, unless that county is also the person's county of residence.

(cg) The plan prepared under par. (c) shall address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. If the person is a serious child sex offender, the plan shall address the person's need for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen. ~~The department may contract with a county department, under s. 51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide the treatment and services identified in the plan.~~ The plan shall specify who will be responsible for providing the treatment and services identified in the plan. If the plan was ordered to be prepared under par. (bt), the plan shall include information concerning the daily cost of supervised release under the plan and the daily cost of institutional care for the person.

(cm) 2. The plan prepared under par. (c) shall be presented to the court ~~for its approval~~ within 21 days after the court ~~finding~~ finds that the person is appropriate for supervised release under par. (b) or orders preparation of the plan under par. (bt), unless the department, county department and person to be released request additional time to develop the plan. ~~If the county department of the person's county of residence declines to prepare a plan, the department may arrange for another county to prepare the plan if that county agrees to prepare the plan and if the person will be living in that county. If the department is unable to arrange for another county to prepare a plan, the court shall designate a county department to prepare the plan, order the county department to prepare the plan and place the person on supervised release in that county, except that the court may not so designate the~~

~~county department in any county where there is a facility in which persons are detained or evaluated under s. 980.04 or in which persons committed to institutional care under this chapter are placed, unless that county is also the person's county of residence.~~ The court shall hold a hearing on the plan within 30 days after the plan is presented to the court, unless the department, county department and person to be released agree to a later hearing date. At least 10 days before the hearing under this subdivision, the court shall give written notice of the hearing to the person to be released, the district attorney or department of justice, whichever is applicable, the department, the county department that prepared the plan, the chief executive officer of the county in which the person would reside under the plan and the chief executive officer of the city, village or town in which the person would reside under the plan. The person, the district attorney or the attorney general, whichever is applicable, and any chief executive officer who receives notice of the hearing, or the chief executive officer's designee, may present evidence at the hearing. The county department that prepared the plan and the department may, and upon request of the court shall, present evidence at the hearing.

SECTION 3227. 980.06 (2) (cm) 1. of the statutes is created to read:

980.06 **(2)** (cm) 1. In this paragraph, "chief executive officer" means a mayor, city manager, village president, town chairperson, county executive or chairperson of the county board of supervisors.

SECTION 3228. 980.06 (2) (cr), (cs), (ct), (cu) and (cv) of the statutes are created to read:

980.06 **(2)** (cr) Based on the provisions of the plan and on the evidence presented at the hearing under par. (cm) 2., the court shall determine whether the plan provides adequate treatment and services to the person and adequate

protection to the community. If the court finds that the plan does not provide adequate treatment and services to the person or adequate protection to the community, the court shall issue a written decision and order disapproving the plan and shall proceed under par. (cs). If the court finds that the plan provides either adequate treatment and services to the person or adequate protection to the community, the court shall, except as provided in par. (ct), issue a written decision and order approving the plan and placing the person on supervised release in the county that prepared the plan.

(cs) If the court disapproves a supervised release plan under par. (cr), it shall order the department and the county department that prepared the plan to revise the plan and present it to the court by a date specified by the court. The court shall hold a hearing on the revised plan and make a determination as to whether to approve or disapprove the plan as provided under pars. (cm) 2. and (cr).

(ct) If a supervised release plan that satisfies the criteria under par. (cr) was ordered to be prepared under par. (bt), the court may approve the plan and order the person placed on supervised release under par. (cr) only if, based on the provisions of the plan and on the evidence presented at the hearing under par. (cm) 2., the court determines that the daily cost of supervised release would not exceed the daily cost of institutional care. If the daily cost of supervised release would exceed the daily cost of institutional care, the court shall disapprove the supervised release plan and order the person to be placed in institutional care. The court may not order a supervised released plan disapproved under this paragraph to be revised under par. (cs).

(cu) If the court approves a supervised release plan under par. (cr), the court shall send a copy of its decision and order approving the plan to the chief executive officers who received notice of the hearing on the plan under par. (cm) 2.

(cv) The county department that prepared the plan and the department shall implement a plan approved by the court under par. (cr). In implementing the plan, the department may contract with a county department, under s. 51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide the treatment and services identified in the plan. The department may request the court to make such orders as are necessary to ensure implementation of the plan.

SECTION 3229. 980.06 (2) (d) of the statutes is amended to read:

980.06 **(2)** (d) An order for supervised release places the person in the custody and control of the department. <u>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 par. (cr) or s. 980.08 (5) (d), whichever is applicable.</u> 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 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 hours after the detention. 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.

SECTION 3230. 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) or (ct) 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 3231. 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) or (ct). 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 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) (a), 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 3234. 980.08 (4) of the statutes is renumbered 980.08 (4) (a) and amended to read:

980.08 **(4)** (a) 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 persons 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~~ does not reside in a facility with a level of security comparable to a secure mental health unit or facility under s. 980.065.

(b) In making a decision under ~~this subsection~~ par. (a), 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~~ paragraph 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 3235. 980.08 (4) (c) of the statutes is created to read:

980.08 **(4)** (c) If a court determines under par. (a) that the person is still a sexually violent person and that it is substantially probable that the person will engage in acts of sexual violence unless he or she resides in a facility with a level of security comparable to that of a secure mental health unit or facility specified in s. 980.065, but the person establishes that it is likely that the daily cost of supervised release under a plan providing for the person to reside in a secure facility would not exceed the daily cost of institutional care for the person, then the court may withhold final determination of the person's petition and order the department to prepare a supervised release plan under sub. (5) (a). After preparation of a supervised release plan ordered under this paragraph, the proceedings shall continue as provided under sub. (5) (c), (d), (de) and (dm), as appropriate.

SECTION 3236. 980.08 (5) of the statutes is renumbered 980.08 (5) (a) and amended to read:

980.08 **(5)** (a) If the court finds <u>under sub. (4) (a)</u> that the person is appropriate for supervised release <u>or orders preparation of a supervised release plan under sub. (4) (c)</u>, the court shall notify the department. The department and the county department under s. 51.42 in the county of residence of the person, as determined under s. 980.105, shall prepare a plan that identifies the treatment and services, if any, that the person will receive in the community. <u>If the county department of the person's county of residence declines to prepare a plan, the department may arrange for another county to prepare the plan if that county agrees to prepare the plan and</u>

if the person will be living in that county. If the department is unable to arrange for another county to prepare a plan, the court shall designate a county department to prepare the plan, order the county department to prepare the plan and place the person on supervised release in that county, except that the court may not so designate the county department in any county where there is a facility in which persons committed to institutional care under this chapter are placed, unless that county is also the person's county of residence.

(b) The plan prepared under par. (a) shall address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. If the person is a serious child sex offender, the plan shall address the person's need for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen. ~~The department may contract with a county department, under s. 51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide the treatment and services identified in the plan.~~ The plan shall specify who will be responsible for providing the treatment and services identified in the plan. If the plan was ordered to be prepared under sub. (4) (c), the plan shall include information concerning the daily cost of supervised release under the plan and the daily cost of institutional care for the person.

(c) 2. The plan prepared under par. (a) shall be presented to the court ~~for its approval~~ within 60 days after the court ~~finding~~ finds that the person is appropriate for supervised release under sub. (4) (a) or orders preparation of the plan under sub. (4) (c), unless the department, county department and person to be released request additional time to develop the plan. ~~If the county department of the person's county of residence declines to prepare a plan, the department may arrange for another~~

~~county to prepare the plan if that county agrees to prepare the plan and if the person will be living in that county. If the department is unable to arrange for another county to prepare a plan, the court shall designate a county department to prepare the plan, order the county department to prepare the plan and place the person on supervised release in that county, except that the court may not so designate the county department in any county where there is a facility in which persons committed to institutional care under this chapter are placed unless that county is also the person's county of residence.~~ The court shall hold a hearing on the plan within 30 days after the plan is presented to the court, unless the department, county department and person to be released agree to a later hearing date. At least 10 days before the hearing under this subdivision, the court shall give written notice of the hearing to the person to be released, the district attorney or department of justice, whichever is applicable, the department, the county department that prepared the plan, the chief executive officer of the county in which the person would reside under the plan and the chief executive officer of the city, village or town in which the person would reside under the plan. The person, the district attorney or the attorney general, whichever is applicable, and any chief executive officer who receives notice of the hearing, or the chief executive officer's designee, may present evidence at the hearing. The county department that prepared the plan and the department may, and upon request of the court shall, present evidence at the hearing.

SECTION 3237. 980.08 (5) (c) 1. of the statutes is created to read:

980.08 **(5)** (c) 1. In this paragraph, "chief executive officer" means a mayor, city manager, village president, town chairperson, county executive or chairperson of the county board of supervisors.

SECTION 3238. 980.08 (5) (d), (de), (dm), (ds) and (e) of the statutes are created to read:

980.08 **(5)** (d) Based on the provisions of the plan and on the evidence presented at the hearing under par. (c) 2., the court shall determine whether the plan provides adequate treatment and services to the person and adequate protection to the community. If the court finds that the plan does not provide either adequate treatment and services to the person or adequate protection to the community, the court shall issue a written decision and order disapproving the plan and shall proceed under par. (de). If the court finds that the plan provides adequate treatment and services to the person and adequate protection to the community, the court shall, except as provided in par. (dm), issue a written decision and order approving the plan and placing the person on supervised release in the county that prepared the plan.

(de) If the court disapproves a supervised release plan under par. (d), it shall order the department and the county department that prepared the plan to revise the plan and present it to the court by a date specified by the court. The court shall hold a hearing on the revised plan and make a determination as to whether to approve or disapprove the plan as provided under pars. (c) 2. and (d).

(dm) If a supervised release plan that satisfies the criteria under par. (d) was ordered to be prepared under sub. (4) (c), the court may approve the plan and order the person placed on supervised release under par. (d) only if, based on the provisions of the plan and on the evidence presented at the hearing under par. (c) 2., the court determines that the daily cost of supervised release would not exceed the daily cost of institutional care. If the daily cost of supervised release would exceed the daily cost of institutional care, the court shall disapprove the supervised release plan and deny the person's petition for supervised release. The court may not order a

supervised released plan disapproved under this paragraph to be revised under par. (de).

(ds) If the court approves a supervised release plan under par. (d), the court shall send a copy of its decision and order approving the plan to the chief executive officers who received notice of the hearing on the plan under par. (c) 2.

(e) The county department that prepared the plan and the department shall implement a plan approved by the court under par. (d). In implementing the plan, the department may contract with a county department, under s. 51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide the treatment and services identified in the plan. The department may request the court to make such orders as are necessary to ensure implementation of the plan.

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 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 3243. 992.21 of the statutes is created to read:

992.21 Actions by division of savings and loan validated. Any action taken by the division of savings and loan between July 1, 1996, and the effective date of this section .... [revisor inserts date], under the name of the division of savings institutions has the same force and effect in all respects as if the action had been taken under the name of the division of savings and loan.

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, for public park purposes or 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 for 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, for public park purposes or 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 for public park purposes or in a manner determined by the board of harbor commissioners to be for the best interests of port and harbor development.

SECTION 3249. 1995 Wisconsin Act 292, section 5 is repealed.

SECTION 3250. 1995 Wisconsin Act 292, section 12 is repealed.

SECTION 3251. 1995 Wisconsin Act 292, section 14 is repealed.

SECTION 3252. 1995 Wisconsin Act 292, section 16 is repealed.

SECTION 3253. 1995 Wisconsin Act 292, section 20 is repealed.

SECTION 3254. 1995 Wisconsin Act 292, section 22 is repealed.

SECTION 3255. 1995 Wisconsin Act 292, section 24 is repealed.

SECTION 3256. 1995 Wisconsin Act 292, section 28 is repealed.

SECTION 3257. 1995 Wisconsin Act 292, section 30 is repealed.

SECTION 3258. 1995 Wisconsin Act 292, section 30h is repealed.

SECTION 3259. 1995 Wisconsin Act 292, section 32 is repealed.

SECTION 3260. 1995 Wisconsin Act 292, section 37 (1) is repealed.

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~~ 2001, operate the ~~juvenile~~ secured correctional facility, as defined in section 938.02 (15m) of the statutes, 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 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 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.

(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, as affected by this act, on or after the effective date 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.

(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.

(8) EDUCATIONAL BROADCASTING.

(a) *Transfer of University of Wisconsin System funds.* 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 and the board of regents of the University of Wisconsin System to the corporation described under section 39.81 of the statutes, as created by this act, on the effective date of the last license transferred, all unencumbered balances appropriated to the board of regents of the University of Wisconsin System under section 20.285 of the statutes, as affected by this act, for public broadcasting, as determined by the secretary of administration, are transferred to the corporation described under section 39.81 of the statutes, as created by this act.

(b) *Transfer of educational communications board funds.* 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 and the board of regents of the University of Wisconsin System to the corporation described under section 39.81 of the statutes, as created by this act, on the effective date of the last license transferred:

1. To the appropriation account under section 20.218 (1) (b) of the statutes, as created by this act, there is transferred the unencumbered balance of the appropriation accounts under section 20.225 (1) (a), (b), (d) to (ka) and (m) of the statutes, as affected by this act, and the amounts in the schedule for the appropriation account under section 20.218 (1) (b) of the statutes, as created by this act, are increased by the sum of the amounts transferred from the appropriation

accounts under section 20.225 (1) (a), (b), (d) to (ka) and (m) of the statutes, as affected by this act.

2. To the appropriation account under section 20.505 (5) (i) of the statutes, as created by this act, there is transferred the unencumbered balance of the appropriation account under section 20.225 (1) (kb) of the statutes, as affected by this act, and the amounts in the schedule for the appropriation account under section 20.505 (5) (i) of the statutes, as created by this act, are increased by the amount transferred from the appropriation account under section 20.225 (1) (kb) of the statutes, as affected by this act.

(c) *Operational plan for educational broadcasting corporation.* The persons under section 39.81 (1) of the statutes, as created by this act, shall prepare an operational plan for the corporation described under section 39.81 of the statutes, as created by this act. The operational plan shall include all of the following:

1. A list of those individuals employed by the board of regents of the University of Wisconsin System and the educational communications board who are best–suited to provide educational broadcasting services for the corporation described under section 39.81 of the statutes, as created by this act.

2. The number of authorized FTE positions for the board of regents of the University of Wisconsin System that would be eliminated if all broadcasting licenses held by the educational communications board and the board of regents of the University of Wisconsin System were transferred to the corporation described under section 39.81 of the statutes, as created by this act.

3. An estimate of the level of funding necessary to cover the annual operating expenses of the corporation described under section 39.81 of the statutes, as created by this act.

4. An estimate of the amount of money necessary to fund the appropriations under section 20.255 (1) (fw) of the statutes, as created by this act, and section 20.285 (1) (fu) of the statutes.

5. A recommendation about whether the department of administration should undertake the construction and operation of national weather service transmitters.

(d) *Review of operational plan.* The secretary of administration shall submit the operational plan under paragraph (c) to the cochairpersons of the joint committee on finance. If the cochairpersons of the joint committee on finance do not notify the secretary of administration within 14 working days after the date of the submittal of the operational plan that the joint committee on finance has scheduled a meeting to review the operational plan, the operational plan may be implemented as proposed by the secretary of administration. If, within 14 working days after the date of the submittal of the operational plan, the cochairpersons of the joint committee on finance notify the secretary of administration that the joint committee on finance has scheduled a meeting to review the operational plan, the operational plan may be implemented only upon approval of the joint committee on finance.

(e) *Positions decrease.* 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 and the board of regents of the University of Wisconsin System to the corporation described under section 39.81 of the statutes, as created by this act, on the effective date of the last license transferred the authorized FTE positions for the University of Wisconsin System are decreased by the number determined under paragraph (c) 2.

(f) *Determination of license transfer date.* If the secretary of administration determines that the federal communications commission has approved the transfer

of all broadcasting licenses held by the educational communications commission and the board of regents of the University of Wisconsin System to the corporation described under section 39.81 of the statutes, as created by this act, the secretary shall immediately notify the revisor of statutes in writing of the effective date of the last license transferred.

(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.

(10) INSTALLATION OF EQUIPMENT FOR AUTOMATED JUSTICE INFORMATION SYSTEMS. The secretary of administration shall allocate $363,900 in fiscal year 1999–2000 and $1,782,000 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 the installation of equipment for automated justice information systems.

(11) OPERATIONS RELATING TO AUTOMATED JUSTICE INFORMATION SYSTEMS. The secretary of administration shall allocate $446,500 in fiscal year 1999–2000 and $446,500 in fiscal year 2000–01 from the appropriation under section 20.505 (6) (pc) of the statutes to fund the general operations of the department of administration relating to 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.

(15) PRIVATIZATION OF PUBLIC BROADCASTING TOWERS.

(a) In this subsection:

1. "Department" means the department of administration.

2. "Communications towers" means state–owned or state–leased communications towers that are used for public broadcasting and any related structures, equipment and property, except for the communications tower operated by the Milwaukee area technical college.

(b) The department, after consultation with all other state agencies, shall prepare a report on the privatization of communications towers. The report shall include each of the following:

1. An inventory of all communications towers.

2. A plan for implementing privatization of communications towers, including any plans and specifications for the sale or sublease of communications towers to private bidders and any proposed contract terms for the state to lease back sufficient capacity on communications towers in order to meet the state's current communications needs and for providing for any construction or expansion that is necessary to meet the state's future communications needs.

(c) No later than June 30, 2000, the department shall submit the report under paragraph (b) to the joint committee on finance of the legislature for its review. If the cochairpersons of the committee do not notify the department within 14 working days after the date of submittal of the report that the committee has scheduled a meeting for the purpose of reviewing the report, the plan included in the report 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 report, the plan may be implemented only upon approval of the committee.

(16) SYNAR COMPLIANCE CHECKS. The legislative reference bureau shall prepare legislation authorizing the development of a statewide protocol for licensing authorities and law enforcement agencies in conducting compliance surveys to determine the prevalence of illegal retail sales of tobacco products to underage persons, based on instructions provided by the department of administration. The final instructions for this legislation shall be submitted to the legislative reference bureau by the department of administration not later than March 1, 1999. The secretary of administration shall submit the proposed legislation to the cochairpersons of the joint committee on finance no later than April 1, 1999.

(17) GLASS CEILING BOARD INITIAL TERMS. Notwithstanding section 15.105 (26) of the statutes, as created by this act, of the members first appointed to the glass ceiling board under section 15.105 (26) (b) of the statutes, the governor shall designate 7 members to serve for terms expiring on May 1, 2001; 7 members to serve for terms expiring on May 1, 2002; and 7 members to serve for terms expiring on May 1, 2003.

(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 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.

SECTION 9102. Nonstatutory provisions; adolescent pregnancy prevention and pregnancy services board.

SECTION 9103. Nonstatutory provisions; aging and long–term care board.

(1) LENGTH OF INITIAL TERMS OF MEMBERS OF BOARD ON AGING AND LONG–TERM CARE. Notwithstanding the length of terms specified for members of the board on aging and long–term care appointed under section 15.105 (10) of the statutes, as affected by this act, one of the 2 additional initial members appointed under that subsection shall be appointed for a term expiring on May 1, 2005, and the other of the 2 additional initial members appointed under that subsection shall be appointed for a term expiring on May 1, 2006.

SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.

(1) SOIL AND WATER CONSERVATION STANDARDS. A county land conservation committee shall submit revised soil and water conservation standards that comply with section 92.105 (1) of the statutes, as affected by this act, to the land and water conservation board no later than September 1, 2000.

(2) FARMLAND PRESERVATION RULES. Using the procedure under section 227.24 of the statutes, the department of agriculture, trade and consumer protection may promulgate a rule under section 91.04 of the statutes, as created by this act, or under any other provision of the statutes if the rule is necessary to implement the changes related to the farmland preservation credit made by this act for the period before the effective date of any permanent rule promulgated under section 91.04 of the statutes, as created by this act, or promulgated to implement those changes, 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) EMERGENCY RULES FOR DRAINAGE DISTRICT BOARD GRANTS. Using the procedure under section 227.24 of the statutes, the department of agriculture, trade and consumer protection may promulgate a rule under section 88.15 (2) of the statutes, as created by this act, for the period before the effective date of the permanent rule promulgated under section 88.15 (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.

SECTION 9105. Nonstatutory provisions; arts board.

SECTION 9106. Nonstatutory provisions; boundary area commission, Minnesota–Wisconsin.

(1) MINNESOTA–WISCONSIN BOUNDARY AREA COMMISSION AND COMPACT WITHDRAWAL. The state of Wisconsin withdraws from the Minnesota–Wisconsin boundary area commission and from the compact creating the commission under chapter 274, laws of 1965. The governor of Wisconsin shall inform the governor of Minnesota of this withdrawal no later than 10 days after the effective date of this subsection.

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) UNIVERSITY OF WISCONSIN SYSTEM

1. *Projects financed by program revenue supported borrowing:*

Ashland — Full–scale aquaculture demonstration facility	$ 3,000,000

2. *Agency totals:*

Program revenue supported borrowing	$ 3,000,000
Total — All sources of funds	$ 3,000,000

(b) SUMMARY

Total program revenue supported borrowing	$ 3,000,000
Total — All sources of funds	$ 3,000,000

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, 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.

(2) SMALL SEWAGE SYSTEMS. The department of commerce may use the procedure specified under section 227.24 of the statutes to promulgate the rule required under section 145.02 (4) (c) of the statutes, as created by this act, for the period before the effective date of a permanent rule, 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 FOR DETERMINING PRIORITY OF SITES OF PETROLEUM PRODUCT DISCHARGES. Using the procedure under section 227.24 of the statutes, the department of commerce shall promulgate the rules required under section 101.144 (3g) 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. The department shall promulgate rules under this subsection no later than the 30th day 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.

SECTION 9111. Nonstatutory provisions; corrections.

(1) SECURED GROUP HOME RATES. By January 1, 2000, the department of corrections shall calculate and submit to the department of administration per person daily cost assessments under section 301.26 (4) (d) 3. and 4. of the statutes, as affected by this act, for juveniles who are placed in a secured group home, as defined in section 938.02 (15p) of the statutes, as created by this act.

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.

(1) EMERGENCY RULE–MAKING AUTHORITY. Using the procedure under section 227.24 of the statutes, the division of banking shall promulgate rules required under chapter 222 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) and (2) (b) of the statutes, the division of banking need not provide evidence of the necessity of preservation of the public peace, health, safety or welfare in promulgating rules under this subsection.

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 (4) 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 (4) 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.

(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.

(4) EMERGENCY MEDICAL SERVICES LICENSE RENEWAL AND LATE FEES AND FORFEITURES; RULES.

(a) The department of health and family services shall submit in proposed form the rules required under section 146.50 (13) (d) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 4th month beginning after the effective date of this paragraph.

(b) Using the procedure under section 227.24 of the statutes, the department of health and family services may promulgate rules required under section 146.50 (13) (d) of the statutes, as created by this act, for the period before the effective date of the rules submitted under paragraph (a), 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 paragraph 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 paragraph.

(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.

(6) FIFTH STANDARD FOR EMERGENCY DETENTION AND CIVIL COMMITMENT. The repeal of 1995 Wisconsin Act 292, sections 5, 12, 14, 16, 20, 22, 24, 28, 30, 30h, 32 and 37 (1), by this act applies notwithstanding section 990.03 (3) of the statutes.

(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.

(8) OFFICE OF HEALTH CARE INFORMATION REQUEST FOR INFORMATION. By January 1, 2000, the office of health care information shall issue a request for information to determine whether an entity would be interested in purchasing data from the office to analyze the data, prepare reports and make the reports available for sale to any interested organizations.

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 at least $5,100,000 from the housing rehabilitation loan program administration fund to the Wisconsin development reserve fund, regardless of whether the chairperson of the Wisconsin Housing and Economic Development Authority certifies that the funds are no longer required for the housing

rehabilitation loan program under section 234.51 (2) (b) of the statutes, as affected by this act.

SECTION 9126. Nonstatutory provisions; insurance.

(1) GRANT FOR ESTABLISHING SMALL EMPLOYER HEALTH INSURANCE PURCHASING POOLS.

(a) In this subsection:

1. "Commissioner" means the commissioner of insurance.

2. "Office" means the office of the commissioner of insurance.

3. "Small employer" has the meaning given in section 635.02 (7) of the statutes.

(b) The office may make a grant of not more than $200,000 from the appropriation under section 20.145 (1) (c) of the statutes, as created by this act, to a private organization for the purpose of establishing health insurance purchasing pools for private small employers if all of the following apply:

1. The private organization submits a plan to the office detailing the proposed use of the grant and the commissioner approves the plan.

2. The private organization enters into a written agreement with the office that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.

3. The private organization agrees in writing to submit to the office the report required under paragraph (c) by the time required under paragraph (c).

(c) If a private organization receives a grant under this subsection, it shall submit to the office, within 6 months after spending the full amount of the grant, a report detailing how the grant proceeds were used.

(d) The office may not pay grant proceeds under this subsection after June 30, 2000.

SECTION 9127. Nonstatutory provisions; investment board.

(1) BONUS COMPENSATION PLAN FOR CERTAIN EMPLOYES OF THE INVESTMENT BOARD. Notwithstanding section 25.156 (6m) (b) of the statutes, as created by this act, the secretary shall, no later than October 1, 1999, determine which employes of the investment board are investment professionals and eligible for the plan of bonus compensation provided under section 25.156 (6m) (a) of the statutes, as created by this act, for the 1999–2000 fiscal year, and shall report this determination to the investment board.

SECTION 9128. Nonstatutory provisions; joint committee on finance.

SECTION 9129. Nonstatutory provisions; judicial commission.

SECTION 9130. Nonstatutory provisions; justice.

SECTION 9131. Nonstatutory provisions; legislature.

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.

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 January 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 RULE–MAKING AUTHORITY. 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) and (2) (b) 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.

(4) DRINKING WATER STUDY. During the 2000–01 fiscal year, 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. 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, 2003.

(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.

(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.

(8) MEMORANDUM OF UNDERSTANDING FOR CONTAMINATED TRANSPORTATION CONSTRUCTION ZONES. Not later than January 1, 2000, the secretary of natural

resources and the secretary of transportation jointly shall submit to the secretary of administration a memorandum of understanding between the department of natural resources and the department of transportation. The memorandum of understanding shall establish the respective responsibilities of the department of natural resources and the department of transportation for hazardous substances discovered on any property under the jurisdiction of the department of transportation. Any actions to restore the environment or to minimize the harmful effects of the hazardous substances on the property shall be based upon the risk to public health and the environment and shall, to the greatest extent practicable, rely on natural processes of attenuation without human intervention. The memorandum of understanding shall establish a means of resolving disputes between the agencies arising under the memorandum of understanding. The memorandum of understanding does not take effect unless the secretary of administration approves of it in writing to the secretary of natural resources and the secretary of transportation.

(9) GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the appropriation account 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.

SECTION 9137. Nonstatutory provisions; personnel commission.

SECTION 9138. Nonstatutory provisions; public defender board.

SECTION 9139. Nonstatutory provisions; public instruction.

SECTION 9140. Nonstatutory provisions; public lands, board of commissioners of.

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.

(2) SUBMITTAL OF INFORMATION.

(a) The public service commission shall submit in proposed form the rules required under section 196.02 (7m) (b) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the effective date of this paragraph.

(b) Using the procedure under section 227.24 of the statutes, the public service commission may promulgate rules under section 196.02 (7m) (b) of the statutes, as created by this act, for the period before the effective date of the permanent rules

promulgated under section 196.02 (7m) (b) 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 commission is not required to provide evidence that promulgating a rule under this paragraph 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 paragraph.

(3) RETAIL CHOICE STUDY.

(a) The public service commission shall conduct a study on implementing retail choice for all consumers of electricity in this state. The study shall address each of the following:

1. The infrastructure changes that are necessary for implementing retail choice and the cost and timing of the changes.

2. The benefits of retail choice to residential, commercial and industrial classes of consumers.

3. A schedule for implementing retail choice for each class of consumers specified in subdivision 2.

4. Recommendations for regulating new market entrants in a manner that ensures equitable treatment of all market participants, including any proposed licensing or certification requirements.

5. The calculation and recovery of the transitional costs incurred in implementing retail choice.

6. The calculation and recovery of stranded costs, including securitization as a means of recovery.

7. The taxation changes that are necessary to ensure the equitable distribution of the tax burden on producers, distributors, marketers and transmitters of electricity in a manner that is revenue neutral.

8. The equitable allocation on all market participants, including cooperative associations organized under chapter 185 of the statutes, of the costs of public benefits programs, including low–income energy assistance and energy efficiency programs.

9. The development and use of renewable energy resources under retail choice.

10. The statutory changes that are necessary to implement retail choice, including any recommended changes to sections 196.85, 196.855 and 196.857 of the statutes.

11. Any other issue that the commission determines is necessary for a comprehensive study of implementing retail choice.

(b) The public service commission shall report the results of the study to the legislature in the manner provided under section 13.172 (2) of the statutes no later than the first day of the 12th month beginning after the effective date of this paragraph.

(4) TRANSFER OF INSTITUTIONAL ASSISTANCE PROGRAM.

(a) In this subsection:

1. "Board" means the technology for educational achievement in Wisconsin board.

2. "Commission" means the public service commission.

3. "Institutional assistance program" means the assistance for institutions program created by the commission that is described in section PSC 160.11, Wisconsin Administrative Code.

(b) On the effective date of this paragraph, the assets and liabilities of the commission primarily related to the administration of the institutional assistance program, as determined by the secretary of administration, shall become the assets and liabilities of the board.

(c) On the effective date of this paragraph, all tangible personal property, including records, of the commission that is primarily related to the administration of the institutional assistance program, as determined by the secretary of administration, is transferred to the board.

(d) All contracts entered into by the commission in effect on the effective date of this paragraph that are primarily related to the administration of the institutional assistance program, as determined by the secretary of administration, 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.

(e) All rules promulgated by the commission that are in effect on the effective date of this paragraph that are primarily related to the administration of the institutional assistance program, as determined by the secretary of administration, remain in effect until their specified expiration date or until amended or repealed by the board. All orders issued by the commission that are in effect on the effective date of this paragraph that are primarily related to the administration of the institutional assistance program, as determined by the secretary of administration, remain in effect until their specified expiration date or until modified or rescinded by the board.

(f) Any matter pending with the commission on the effective date of this paragraph that is primarily related to the administration of the institutional assistance program, as determined by the secretary of administration, is transferred

to the board and all materials submitted to or actions taken by the commission with respect to the pending matter are considered as having been submitted to or taken by 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.

(2) PROPOSED LEGISLATION; CREDENTIALING BOARDS AND CREDENTIAL RENEWAL FEES. The department of regulation and licensing shall prepare proposed legislation that establishes a regular and orderly process for the department to evaluate the continued necessity of at least 25% of the credentialing boards, as defined in section 440.01 (2) (bm) of the statutes, on an annual basis and for eliminating the credentialing boards that are determined to be unnecessary. The proposed legislation shall also include provisions for establishing credential renewal fees that must be paid by credential holders every 4 years rather than every 2 years as required under current law. No later than August 1, 2000, the department of

regulation and licensing shall submit the proposed legislation in proper form to the legislature in the manner provided under section 13.172 (2) of the statutes and to the governor.

SECTION 9143. Nonstatutory provisions; revenue.

SECTION 9144. Nonstatutory provisions; secretary of state.

SECTION 9145. Nonstatutory provisions; state fair park board.

SECTION 9146. Nonstatutory provisions; supreme court.

SECTION 9147. Nonstatutory provisions; technical college system.

(1) PRINTING PROGRAM GRANT. In the 1999–2000 and 2000–01 fiscal years the state technical college system board shall pay the amount appropriated to the board under section 20.292 (1) (er) of the statutes, as created by this act, to the district board governing Waukesha County Technical College for the development of its printing program.

SECTION 9148. Nonstatutory provisions; technology for educational achievement in Wisconsin board.

SECTION 9149. Nonstatutory provisions; tourism.

SECTION 9150. Nonstatutory provisions; transportation.

(1) MOTOR VEHICLE PURCHASE CONTRACT SERVICE FEES. Not later than January 1, 2000, the secretary of transportation shall review section Trans. 139.05 (8) of the Wisconsin Administrative Code and consider the effects of that rule on motor vehicle dealers and consumers.

(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 90% of the costs of constructing the air museum.

(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.

(4) STATEWIDE TRAUMA CARE SYSTEM TRANSFER. On July 1, 2001, there is transferred from the appropriation account under section 20.395 (5) (dq) of the statutes, as affected by this act, to the appropriation account under section 20.435 (1) (a) of the statutes, as affected by this act, the sum of $64,900 for the purposes of the statewide trauma care system under section 146.56 of the statutes, as affected by this act.

(5) RAILROAD GRADE CROSSINGS COMMITTEE. There is created a railroad grade crossings committee consisting of 2 members appointed by the secretary of transportation and 2 members appointed by the office of commissioner of railroads. Members shall be appointed within 45 days after the effective date of this subsection. The committee shall review each railroad grade crossing in this state and, if the committee determines that existing warning or safety devices or other conditions at the railroad grade crossing do not adequately protect and promote public safety, may recommend that the office of commissioner of railroads consider improvements to the railroad grade crossing. Committee recommendations shall be made by a majority of the committee members. If no majority of committee members agree on whether to recommend a railroad grade crossing for improvements, the secretary of transportation shall make that recommendation. A majority of committee members

may reverse a recommendation made under this subsection by providing notice of the reversal to the office of commissioner of railroads and the secretary of transportation. The committee shall maintain a railroad grade crossings database, shall establish threshold requirements for recommendations under this subsection and shall recommend to the secretary of transportation desirable funding levels for the railroad crossing improvement program. The committee shall cease to exist when the committee has reviewed every railroad grade crossing in this state and made its final recommendations, or on July 1, 2002, whichever occurs sooner.

(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.

SECTION 9151. Nonstatutory provisions; treasurer.

(1) UNCLAIMED PROPERTY TRANSITIONAL PROVISION. The renumbering of section 177.01 (10) of the statutes and the creation of section 177.01 (10) (b) of the statutes do not apply to abandoned property delivered to the state treasurer before the effective date of this subsection.

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.

(1) POSITION AUTHORIZATION.

(a) Notwithstanding section 16.505 (1) of the statutes, as affected by this act, during the 1999–2001 biennium, the board of regents of the University of Wisconsin System may propose to increase its authorized FTE positions that are funded, in whole or in part, with general purpose revenues by not more than 1% above the level authorized for the board under section 16.505 (1) of the statutes, as affected by this act. The board shall submit any proposal under this subsection to the secretaries of administration and employment relations for approval, together with its methodology for accounting for the cost of funding these positions. The secretaries of administration and employment relations may only approve a proposal if the incremental costs for these positions, as determined by the secretaries of administration and employment relations, are not to be included in any subsequent request submitted by the board under section 16.42 (1) of the statutes, as affected by this act. If the secretaries of administration and employment relations jointly approve the proposal, the positions are authorized.

(b) During the 1999–2001 biennium, the board may not include in any certification to the department of administration under section 20.928 (1) of the statutes any sum to pay any costs of a position authorized under this subsection.

(c) No later than the last day of the month following completion of each calendar quarter, the board shall report to the secretaries of administration and employment relations concerning the number of authorized positions under this subsection that have been filled by the board during the preceding calendar quarter and the source of funding for each such position.

(2) UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH AND INTERVENTION. The board of regents of the University of Wisconsin System shall allocate $1,000,000 in fiscal year 1999–2000 and $1,000,000 in fiscal year 2000–01 from the

appropriation under section 20.285 (1) (a) of the statutes, as affected by this act, to advance the work of the University of Wisconsin center for tobacco research and intervention 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 9155. Nonstatutory provisions; veterans affairs.

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 Safe and Sound initiative in the city of Milwaukee and Wisconsin Good Samaritan Project, Inc., shall receive grant moneys allocated under section 49.175 (1) (vL) without participating in a competitive process.

(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.

SECTION 9158. Nonstatutory provisions; other.

(1) DANE COUNTY REGIONAL PLANNING COMMISSION.

(a) Notwithstanding the composition of the membership of the Dane County regional planning commission that is determined under section 66.945 (3) (b) of the statutes and the terms for such regional planning commission members that are determined under section 66.945 (3) (c) of the statutes, no commissioner of the Dane County regional planning commission who holds office on the 30th day after the effective date of this paragraph may remain in his or her office beyond that date unless he or she is reappointed under paragraph (b).

(b) Beginning on the 31st day after the effective date of this paragraph, the Dane County regional planning commission shall consist of the following members who shall be appointed by the governor from the lists described under this paragraph or from the list described under paragraph (c), or from a combination of the lists under this paragraph and paragraph (c):

1. Two members from a list of at least 4 names submitted by an association representing towns that is in existence on January 1, 1999. One of the members appointed under this subdivision shall reside in a town located in western Dane

County and the other member shall reside in a town that is located in eastern Dane County.

2. Two members from a list of at least 4 names submitted jointly by an association representing villages and by an association representing 3rd and 4th class cities, both of which are in existence on January 1, 1999.

3. Two members from a list of at least 4 names submitted by the mayor of the city of Madison.

4. Five members from a list of at least 8 Dane County board supervisors that is submitted by the Dane County executive. From the list, at least 2 of the appointees under this subdivision shall represent towns, no more than 2 of the appointees may represent districts that are wholly or partially in the city of Madison, at least 2 of the appointees shall represent districts in western Dane County and at least 2 of the appointees shall represent districts in eastern Dane County.

(c) The governor may prepare a list of 5 individuals who shall have experience in land use planning issues. The governor may make the appointments described under paragraph (b) solely from the lists described under paragraph (b), or the governor may make some of the appointments from the list created under this paragraph.

(d) Notwithstanding the procedures for dissolution of a regional planning commission that are specified under section 66.945 (15) of the statutes, the Dane County regional planning commission shall be dissolved on December 31, 2001. All unexpended funds of the commission on that date shall be applied to any outstanding indebtedness of the commission. If any outstanding indebtedness of the commission remains after the application of the unexpended funds to such debts, the remaining indebtedness shall be assessed to Dane County. If the commission has no

outstanding indebtedness and has unexpended funds, such funds shall be returned to the cities, villages, towns or county that supplied them.

(e) Not later than July 1, 2001, the county board of every county that is not in a regional planning commission and that is adjacent to Dane County, and the Dane County board, shall vote on whether to participate in a new regional planning commission under section 66.945 of the statutes. Such a regional planning commission shall be created, on January 1, 2002, if at least two–thirds of the county boards that may vote under this paragraph vote to participate in the creation of such a regional planning commission.

(f) For the purposes of this subsection, the secretary of administration shall determine the border between the eastern and western halves of Dane County.

(2) ELIMINATION OF EDUCATIONAL APPROVAL BOARD.

(a) *Assets and liabilities.*

1. On the effective date of this subdivision, all assets and liabilities of the educational approval board primarily related to the approval of veterans education and training shall become the assets and liabilities of the department of veterans affairs.

2. On the effective date of this subdivision, all assets and liabilities of the educational approval board not specified in subdivision 1. shall become the assets and liabilities of the higher educational aids board.

3. The department of veterans affairs and the higher educational aids board shall jointly determine the assets and liabilities transferred under subdivisions 1. and 2. and shall jointly develop and implement a plan for the orderly transfer of the assets and liabilities. In the event of any disagreement between the department and the board, the secretary of administration shall decide the question.

(b) *Employe transfers.*

1. On the effective date of this subdivision, 3.0 FTE FED positions in the educational approval board, except for the executive secretary position, and the incumbent employes holding those positions are transferred to the department of veterans affairs.

2. On the effective date of this subdivision, 4.0 FTE PR positions and 1.0 FTE PR project position in the educational approval board, except for the executive secretary position, and the incumbent employes holding those positions are transferred to the higher educational aids board.

3. The department of veterans affairs and the higher educational aids board shall jointly determine the employes to be transferred under subdivisions 1. and 2. and shall jointly develop and implement a plan for the orderly transfer of the employes. In the event of any disagreement between the department and the board, the secretary of administration shall decide the question.

(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 and the higher educational aids board that they enjoyed in the educational approval 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.*

1. On the effective date of this subdivision, all tangible personal property, including records, of the educational approval board primarily related to the approval of veterans education and training is transferred to the department of veterans affairs.

2. On the effective date of this subdivision, all tangible personal property, including records, of the educational approval board that is not specified in subdivision 1. is transferred to the higher educational aids board.

3. The department of veterans affairs and the higher educational aids board shall jointly identify the tangible personal property, including records, and shall jointly develop and implement a plan for the orderly transfer of the property. In the event of any disagreement between the department and the board, the secretary of administration shall decide the question.

(e) *Pending matters.* On the effective date of this paragraph, any matter pending with the educational approval board that is primarily related to the approval of veterans education and training is transferred to the department of veterans affairs and any other pending matter is transferred to the higher educational aids board. All materials submitted to or actions taken by the educational approval board with respect to a pending matter are considered as having been submitted to or taken by the department or the board to which the matter was transferred under this paragraph.

(f) *Contracts.*

1. On the effective date of this subdivision, all contracts entered into by the educational approval board primarily related to the approval of veterans education and training, which are in effect on the effective date of this subdivision, 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 to the extent allowed under the contract.

2. On the effective date of this subdivision, all contracts entered into by the educational approval board that are not specified in subdivision 1., which are in

effect on the effective date of this subdivision, remain in effect and are transferred to the higher educational aids board. The higher educational aids board shall carry out any such contractual obligations until modified or rescinded by the board to the extent allowed under the contract.

3. The department of veterans affairs and the higher educational aids board shall jointly identify the contracts specified in subdivisions 1. and 2. and shall jointly develop and implement a plan for the orderly transfer of the contracts. In the event of any disagreement between the department and the board, the secretary of administration shall decide the question.

(g) *Rules and orders.*

1. All rules promulgated by the educational approval board that are in effect on the effective date of this subdivision and that are primarily related to the approval of veterans education and training remain in effect until their specified expiration date or until amended or repealed by the department of veterans affairs. All orders issued by the educational approval board that are in effect on the effective date of this subdivision and that are primarily related to the approval of veterans education and training remain in effect until their specified expiration date or until modified or rescinded by the department of veterans affairs.

2. All rules promulgated by the educational approval board that are in effect on the effective date of this subdivision and that are not specified in subdivision 1. remain in effect until their specified expiration date or until amended or repealed by the higher educational aids board. All orders issued by the educational approval board that are in effect on the effective date of this subdivision and that are not specified in subdivision 1. remain in effect until their specified expiration date or until modified or rescinded by the higher educational aids board.

(3) CULTURAL ARTS AUTHORITY. The legislative reference bureau shall prepare legislation authorizing the creation of cultural arts authorities in cities with a population of at least 150,000, based on instructions provided by the department of administration. The final instructions for this legislation shall be submitted to the legislative reference bureau by the department of administration not later than March 1, 1999. The secretary of administration shall submit the proposed legislation to the cochairpersons of the joint committee on finance no later than April 1, 1999.

(4) CONSOLIDATION OF STATE VEHICLE FLEET OPERATIONS.

(a) In this subsection:

1. "Department" means the department of administration.

2. "Secretary" means the secretary of administration.

(b) The department shall submit to the cochairpersons of the joint committee on finance for consideration at the 4th quarterly meeting of the committee under section 13.10 of the statutes to be held in 1999 an implementation plan for consolidating the vehicle fleet management functions of the department of natural resources with the corresponding functions of the department.

(c) The plan submitted under paragraph (b) may include provision for any of the following on the effective date specified in the plan:

1. Transfer of the assets and liabilities of the department of natural resources relating to its vehicle fleet management functions to the department.

2. Transfer of the tangible personal property, including records, of the department of natural resources relating to its vehicle fleet management functions to the department.

3. Transfer to the department of any authorized full–time equivalent position of the department of natural resources relating to its vehicle fleet management

functions. The plan shall include identification of the numbers, revenue sources and types of any positions to be transferred from the department of natural resources to the department under the plan.

4. Transfer to the department of any incumbent employes holding positions in the department of natural resources relating to its vehicle fleet management functions. Employes transferred under the plan have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department 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.

5. Transfer to the department of the contracts entered into by the department of natural resources relating to its vehicle fleet management functions which are in effect on the effective date of this subdivision. If the transfer occurs, the department shall carry out any obligations under such a contract until modified or rescinded by the department to the extent allowed under the contract.

6. Transfer to the department of any rules promulgated or orders issued by the department of natural resources relating to its vehicle fleet management functions which are in effect on the effective date of the plan. If the transfer occurs, any such rules shall remain in effect until their specified expiration dates or until amended or repealed by the department, and any such orders shall remain in effect until their specified expiration dates or until modified or rescinded by the department.

7. Transfer to the department of any matter pending with the department of natural resources relating to its vehicle fleet management functions. If the transfer occurs, all materials submitted to or actions taken by the department of natural

resources with respect to the pending matter are considered as having been submitted to or taken by the department.

(d) The department shall submit to the cochairpersons of the joint committee on finance for consideration at the 3rd quarterly meeting of the committee under section 13.10 of the statutes in the year 2000 an implementation plan for consolidating the vehicle fleet management functions of the department of transportation and the University of Wisconsin–Madison with the corresponding functions of the department.

(e) The plan submitted under paragraph (d) may include provision for any of the following on the effective date specified in the plan:

1. Transfer of the assets and liabilities of the department of transportation and the University of Wisconsin–Madison relating to their vehicle fleet management functions to the department.

2. Transfer of the tangible personal property, including records, of the department of transportation and the University of Wisconsin–Madison to the department.

3. Transfer to the department of any authorized full–time equivalent position of the department of transportation or the board of regents of the University of Wisconsin System relating to vehicle fleet management functions of the department of transportation or the University of Wisconsin–Madison. The plan shall include identification of the numbers, revenue sources and types of any positions to be transferred from the department of transportation or the board of regents of the University of Wisconsin System under the plan.

4. Transfer to the department of any incumbent employes holding positions at the department of transportation or the University of Wisconsin–Madison relating

to vehicle fleet management functions. Employes transferred under the plan have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed at the department of transportation or the University of Wisconsin–Madison immediately before the transfer. Notwithstanding section 230.08 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

5. Transfer to the department of the contracts entered into by the department of transportation and the board of regents of the University of Wisconsin System relating to the vehicle fleet management functions of the department of transportation and the University of Wisconsin–Madison which are in effect on the effective date of this subdivision. If the transfer occurs, the department shall carry out any obligations under such a contract until modified or rescinded by the department to the extent allowed under the contract.

6. Transfer to the department of any rules promulgated or orders issued by the department of transportation or the board of regents of the University of Wisconsin System relating to the vehicle fleet management functions of the department of transportation or the University of Wisconsin–Madison which are in effect on the effective date of the plan. If the transfer occurs, any such rules shall remain in effect until their specified expiration dates or until amended or repealed by the department, and any such orders shall remain in effect until their specified expiration dates or until modified or rescinded by the department.

7. Transfer to the department of any matter pending with the department of transportation or the board of regents of the University of Wisconsin System relating to the vehicle fleet management functions of the department of transportation or the University of Wisconsin–Madison. If the transfer occurs, all materials submitted to

or actions taken by the department of transportation or the board of regents of the University of Wisconsin System with respect to the pending matter are considered as having been submitted to or taken by the department.

(f) The joint committee on finance may approve or modify and approve the plans submitted under paragraphs (b) and (d). If the committee approves a plan, with or without modifications, the department may implement the plan on the effective date of the plan as specified in the plan. If the committee does not approve either plan, the department shall not implement that plan.

(g) Notwithstanding section 16.42 of the statues, the departments of natural resources and transportation and the board of regents of the University of Wisconsin System shall submit information under section 16.42 of the statutes for purposes of the 2001–2003 biennial budget bill reflecting any savings incurred from consolidation of vehicle fleet management functions as the result of implementation of a plan under this subsection.

(h) The departments of natural resources and transportation and the board of regents of the University of Wisconsin System shall fully cooperate with the department in implementing any plan approved under paragraph (f).

(5) TRANSFER OF INSTITUTIONAL ASSISTANCE PROGRAM. From the appropriation under section 20.275 (1) (tr) of the statutes, as created by this act, the technology for educational achievement in Wisconsin board shall provide support payments to the institutions that the public service commission has, before the effective date of this subsection, determined are eligible to receive support payments under the institutional assistance program, as defined in SECTION 9141 (4) (a) 3. of this act, in the amounts determined by the commission.

(6) CAMPAIGN FINANCING AND ELECTIONS BOARD COMPOSITION. The legislative reference bureau shall prepare proposed legislation relating to campaign finance reform and composition of the elections board based upon instructions provided by the department of administration. The final instructions for this proposed legislation shall be submitted to the legislative reference bureau by the department of administration no later than March 1, 1999. The secretary of administration shall submit the proposed legislation to the cochairpersons of the joint committee on finance no later than April 1, 1999.

SECTION 9201. Appropriation changes; administration.

(1) CONSOLIDATION OF APPROPRIATIONS.

(a) The unencumbered balance in the account for the appropriation to the department of administration under section 20.505 (1) (kb) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (1) (ka) of the statutes.

(b) The unencumbered balance in the account for the appropriation to the department of administration under section 20.505 (1) (kd) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (1) (ka) of the statutes.

(c) The unencumbered balance in the account for the appropriation to the department of administration under section 20.505 (1) (kj) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (1) (ka) of the statutes.

(d) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (1) (ka) of the statutes, as

affected by the acts of 1999, the dollar amount is increased for fiscal year 1999–00 by the amount transferred under paragraph (a).

(e) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (1) (ka) of the statutes, as affected by the acts of 1999, the dollar amount is increased for fiscal year 1999–00 by the amount transferred under paragraph (b).

(f) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (1) (ka) of the statutes, as affected by the acts of 1999, the dollar amount is increased for fiscal year 1999–00 by the amount transferred under paragraph (c).

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 to 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 to the department of commerce under section 20.143 (1) (kr) of the statutes, as affected by this act.

SECTION 9211. Appropriation changes; corrections.

(1) LAPSE FROM APPROPRIATION FOR INMATE PURCHASES. Notwithstanding section 20.001 (3) (a) of the statutes, on June 30, 2000, there is lapsed to the general fund $2,250,000 from the appropriation account of the department of corrections under section 20.410 (1) (gt) of the statutes.

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.

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 $2,000,000 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) of the statutes.

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. Of the unencumbered balance in the appropriation account under section 20.455 (2) (hm), 1997 stats., 90% is transferred to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, and 10% is transferred to the appropriation account under section 20.455 (2) (ku) of the statutes, as affected by this act.

(2) PENALTY ASSESSMENT RECEIPTS. Of the unencumbered balance in the appropriation account under section 20.455 (2) (i), 1997 stats., 90% is transferred to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, and 10% is transferred to the appropriation account under section 20.455 (2) (kq) of the statutes, as affected 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 $177,400 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 the subsection, there is lapsed to the fish and wildlife

account of the conservation fund $352,000 from the appropriation account under section 20.370 (5) (cq) 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 account to the department of natural resources under section 20.370 (5) (ea) 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 9237. Appropriation changes; personnel commission.

SECTION 9238. Appropriation changes; public defender board.

(1) PUBLIC DEFENDER CONFERENCES AND TRAINING. Ninety percent of the unencumbered balance in the appropriation account under section 20.550 (1) (kj) 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 9239. Appropriation changes; public instruction.

(1) ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Ninety percent of the unencumbered balance in the appropriation account under section 20.255 (1) (kd) 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.

(2) AID FOR ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Ninety percent of the unencumbered balance in the appropriation account under section 20.255 (2) (kd) 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 9240. Appropriation changes; public lands, board of commissioners of.

SECTION 9241. Appropriation changes; public service commission.

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 to the department of transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts of 1999, to the appropriation 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 to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1999, to the appropriation 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 to the department of transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts of 1999, to the appropriation 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 to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1999, to the appropriation 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.

(1) YOUTH APPRENTICESHIP GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of workforce development under section 20.445 (7) (b) of the statutes, as affected by the acts of 1999, the dollar amount is increased for fiscal year 1999–00 by an amount that is equal to the amount that lapsed to the general fund at the end of the 1998–99 fiscal year from the appropriation account under section 20.445 (1) (em) of the statutes.

(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 created by this act.

SECTION 9258. Appropriation changes; other.

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.

(1) MINNESOTA–WISCONSIN BOUNDARY AREA COMMISSION AND COMPACT WITHDRAWAL. The treatment of sections 13.123 (3) (a) and 13.45 (3) (a) of the statutes first applies to expenses incurred on the effective date of this subsection.

SECTION 9307. Initial applicability; building commission.

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.

(2) COSTS AND DISBURSEMENTS. The treatment of sections 814.04 (1) (a) and (b) and (2) and 814.07 of the statutes first applies to actions commenced 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.

(3) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM INTEREST REIMBURSEMENT. The treatment of section 101.143 (4) (c) 8. of the statutes first applies to interest incurred on the effective date of this subsection on claims submitted under section 101.143 (3) of the statutes on the effective date of this subsection.

(4) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM DEDUCTIBLES. The treatment of section 101.143 (4) (d) 2. (intro.) and (dg) and (dm) 2. a. of the statutes first applies to owners and operators who begin activities under section 101.143 (3) (c) 3. or (g) of the statutes on the effective date of this subsection.

(5) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM MAXIMUM AWARDS. The treatment of section 101.143 (4) (d) 2. a., b. and d. of the statutes first applies to a claimant whose remedial action plan is approved under section 101.143 (3) (cs) of the statutes, as created by this act, on the effective date of this subsection.

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.

(2) SECURED GROUP HOMES. The renumbering and amendment of section 48.66 (1) of the statutes, the amendment of sections 16.385 (7), 19.35 (1) (am) 2. c., 20.410 (3) (ho), 46.036 (4) (a), 48.02 (17), 48.48 (9), 48.48 (9m), 48.48 (10), 48.66 (2m) (a), 48.66 (2m) (am), 48.66 (2m) (b), 48.66 (2m) (bm), 48.68 (1), 48.69, 48.715 (1), 48.715 (2) (a), 48.715 (2) (b), 48.715 (4) (intro.), 48.715 (5), 48.715 (6), 48.715 (7), 49.857 (1) (d) 3., 51.05 (2), 51.35 (3) (title), 51.35 (3) (a), 51.35 (3) (c), 51.35 (3) (e), 51.35 (3) (g), 73.0301 (1) (d) 2., 115.81 (9) (c), 118.125 (4), 165.76 (1) (a), 165.76 (2) (b) 2., 252.15 (1) (ab), 252.15 (2) (a) 7. a., 301.01 (2) (b), 301.01 (4), 301.027, 301.03 (10) (d), 301.03 (10) (e), 301.03 (10) (f), 301.08 (1) (b) 3., 301.205, 301.26 (4) (c), 301.26 (4) (cm) 1., 301.26 (4) (cm) 2., 301.26 (4) (dt), 301.26 (4) (e), 301.26 (4) (ed), 301.263 (3), 301.36 (1), 301.37 (1), 301.45 (1) (b), 301.45 (1) (bm), 301.45 (3) (a) 2., 301.45 (5) (a) 2., 938.02 (15g), 938.02 (15m), 938.02 (17), 938.069 (1) (dj), 938.08 (3) (a) (intro.), 938.08 (3) (a) 1., 938.08 (3) (a) 2., 938.08 (3) (b), 938.17 (1) (c), 938.183 (1) (a), 938.208 (2), 938.22 (title), 938.22 (1) (a), 938.22 (1) (b), 938.22 (1) (c), 938.22 (2) (a), 938.22 (3) (a), 938.22 (3) (b), 938.22 (7) (a), 938.22 (7) (b), 938.22 (7) (c), 938.23 (1) (a), 938.33 (3) (intro.), 938.33 (3) (a), 938.33 (3r), 938.34 (4m) (intro.), 938.34 (4n) (intro.), 938.34 (4n) (b), 938.34 (8d) (c), 938.345 (1) (a), 938.355 (1), 938.357 (3), 938.357 (4) (a), 938.357 (4g) (a), 938.357 (4g) (b), 938.357 (4g) (d), 938.357 (5) (e), 938.357 (5) (f), 938.38 (3) (a), 938.48 (4), 938.51 (1) (intro.), 938.51 (1m), 938.51 (4) (intro.), 938.533 (3) (a), 938.535, 938.538 (3) (a) 1., 938.538 (3) (a) 1m., 938.538 (3) (a) 1p., 938.538 (4) (a), 938.57 (1) (c), 938.57 (4), 938.59 (1), 938.78 (3), 939.635 (1), 939.635 (2) (b), 940.20 (2m) (a) 1., 946.42 (1) (a), 946.44 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7)

(b), 973.013 (3m), 980.015 (2) (b), 980.02 (1) (b) 2., 980.02 (2) (ag), 980.02 (4) (am), 980.02 (4) (b) and 980.04 (1) of the statutes and the creation of sections 51.01 (14k), 51.01 (14m), 51.01 (14p), 301.01 (3k), 301.01 (3m), 301.01 (3p), 301.08 (1) (b) 4. and 938.02 (15p) of the statutes first apply to delinquent acts committed 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.

(1) REFUNDS. The treatment of section 40.08 (6) (e) of the statutes first applies to moneys refunded or credited on the effective date of this subsection.

(2) UNDERPAYMENTS. The treatment of section 40.08 (7) (c) of the statutes first applies to annuity payments occurring on the effective date of this subsection.

(3) SOCIAL SECURITY INTEGRATED ANNUITY. The treatment of section 40.24 (1) (e) of the statutes first applies to the calculation of death benefits of an annuitant in the Wisconsin retirement system who dies on the effective date of this subsection.

SECTION 9316. Initial applicability; employment relations commission.

(1) GRIEVANCE ARBITRATION. The treatment of sections 111.09 (2m), 111.71 (2m) and 111.94 (2m) of the statutes first applies to requests for arbitration under sections 111.10, 111.70 (4) (c) 2. or (cm) 4. and 111.86 of the statutes on the effective date of this subsection.

(2) REASSIGNMENT OF SCHOOL DISTRICT EMPLOYES; PROVISION OF EDUCATIONAL PROGRAMS. The treatment of section 111.70 (4) (m) (intro.), 1., 2. and 4. of the statutes first applies to collective bargaining agreements for which notices of commencement

of contract negotiations have been filed with the employment relations commission under section 111.70 (4) (cm) 1. of the statutes on the effective date of this subsection.

SECTION 9317. Initial applicability; employment relations department.

SECTION 9318. Initial applicability; ethics board.

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.

(1) DURATION OF CERTAIN ORDERS OF COMMITMENT OF PRISON INMATES. The treatment of section 51.20 (13) (g) 2f. and 2g. of the statutes first applies to proceedings in which a petition is filed under section 51.20 (1) of the statutes on the effective date of this subsection.

(2) SUPERVISED RELEASE AND PERIODIC REEXAMINATION OF SEXUALLY VIOLENT PERSONS.

(a) *Initial commitment orders.* The amendment of sections 980.06 (2) (a), (b), (c) and (d) and 980.065 (1m) of the statutes and the creation of section 980.06 (2) (bt), (cm) 1., (cr), (cs), (ct), (cu) and (cv) of the statutes first apply 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.

(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.

(c) *Petitions for supervised release.* The renumbering and amendment of section 980.08 (4) (with respect to the standard for granting or denying a petition for supervised release) and (5) of the statutes, the amendment of section 980.08 (3) of the statutes (with respect to the requirements for an examiner's report) and the creation of section 980.08 (4) (c) and (5) (c) 1., (d), (de), (dm), (ds) and (e) of the statutes first apply to petitions for supervised release filed 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.

(5) TRANSFERS BY LIABLE PROVIDERS OF MEDICAL ASSISTANCE. The treatment of sections 49.45 (21) (a) and (b) and 50.03 (13) (a) of the statutes first applies to sales or other transfers completed on the effective date of this subsection.

(6) FALSE CLAIMS OR STATEMENTS BY PROVIDERS OF MEDICAL ASSISTANCE. The treatment of section 49.489 of the statutes first applies to violations of section 49.489 (2) or (3) of the statutes, as created by this act, that occur on the effective date of this subsection.

(7) DECERTIFICATION OR SUSPENSION OF PROVIDERS OF MEDICAL ASSISTANCE. The treatment of section 49.45 (2) (a) 12. of the statutes first applies to violations of federal statutes or regulations or state statutes or rules committed on the effective date of this subsection.

(8) SANCTIONS FOR NONCOMPLIANCE BY PROVIDERS OF MEDICAL ASSISTANCE. The treatment of section 49.45 (2) (a) 13. of the statutes first applies to instances of noncompliance with conditions of participation or terms of reimbursement or certification criteria that occur 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.

SECTION 9324. Initial applicability; historical society.

SECTION 9325. Initial applicability; Housing and Economic Development Authority.

SECTION 9326. Initial applicability; insurance.

(1) POINT–OF–SERVICE COVERAGE. The treatment of sections 111.91 (2) (r) and 609.23 of the statutes first applies to all of the following:

(a) Except as provided in paragraph (b), managed care plans that are issued or renewed on the effective date of this paragraph.

(b) Managed care plans covering employes who are affected by a collective bargaining agreement containing provisions inconsistent with sections 111.91 (2) (r) and 609.23 of the statutes that are issued or renewed on the earlier of the following:

1. The day on which the collective bargaining agreement expires.

2. The day on which the collective bargaining agreement is extended, modified or renewed.

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.

(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.

(3) ODOMETERS AND HOUR METERS ON SNOWMOBILES, ALL–TERRAIN VEHICLES AND BOATS. The treatment of sections 100.48 (1) (b), (2) and (3) (a) and 347.415 (1m) and

(2) of the statutes first applies to offenses committed 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 the subsection.

(6) NATURAL RESOURCES LAW VIOLATION. The treatment of section 23.38 (1) and (3) to (8) of the statutes first applies to information provided to the department of natural resources on the effective date of this subsection.

(7) CONDEMNATION AUTHORITY. The treatment of sections 13.48 (16), 23.09 (2) (d) (intro.) and 8., 23.27 (5), 27.01 (2) (a), 28.02 (2), 30.18 (8) and 32.02 (1) and (16) of the statutes, the renumbering and amendment of section 32.185 of the statutes and the creation of section 32.185 (2) of the statutes first apply to acquisitions of property that occur on the effective date of this subsection.

(8) FISH AND GAME APPROVALS. The treatment of section 29.563 (2) (a) 1., 5., 6., 7. and 8., (b) 1., 2., 3., 4., 5., 6. and 7., (c) 1., (d) and (e) 1. and 2., (3) (a) 1. and 3., (b) 1., 2., 3., 4. and 5., (c) 1. and 2. and (d) 1. and (12) (a) 3. and 4. and (b) of the statutes first applies to approvals issued 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.

(1) SCHOOL DISTRICT REFERENDA. The treatment of sections 24.66 (3) (b) and (4) (b), 66.504 (2), 67.05 (6a) (a) 2. a., 119.48 (4) (b) and (c), 119.49 (1) (b) and (2) and 121.91 (3) (a) of the statutes and the renumbering and amendment of section 24.66 (4) of the statutes first apply with respect to referenda called on the effective date of this subsection.

(2) INTERDISTRICT TRANSFER PUPILS. 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 state aid paid in 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. and 3., 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. 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.

(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.

SECTION 9340. Initial applicability; public lands, board of commissioners of.

(1) PERMIT AREA AND REVOCATION. The treatment of section 170.12 (6) (a) of the statutes first applies to permits issued under section 170.12 (6) of the statutes on the effective date of this subsection.

SECTION 9341. Initial applicability; public service commission.

(1) PROHIBITIONS REGARDING CERTAIN PROCEEDINGS. The treatment of section 196.315 of the statutes first applies to filings that are made on the effective date of this subsection.

(2) SUBMITTAL OF INFORMATION. The treatment of section 196.02 (7m) of the statutes first applies to information that is required to be submitted on the effective date of this subsection.

(3) PUBLIC RECORD EXCEPTION. The renumbering and amendment of section 196.14 of the statutes and the creation of section 196.14 (2) of the statutes first apply to information that is submitted on the effective date of this subsection.

(4) TARIFF FILINGS. The treatment of sections 196.19 (1m) (b) and (e) and 196.77 of the statutes first applies to tariffs filed on the effective date of this subsection.

SECTION 9342. Initial applicability; regulation and licensing.

(1) REGISTRATION OF CEMETERY AUTHORITIES AND CEMETERY SALESPERSONS. The treatment of sections 440.91 (1), (2) (intro.), (a), (b) and (c), (7) and (8) and 440.95 (2) of the statutes first applies to sales or solicitations that are made in the first calendar year beginning after the effective date of this subsection.

(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.

(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 section 139.323 (intro.) 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.

(10) CHARGING BACK REFUNDED OR RESCINDED PROPERTY TAXES. The treatment of section 74.41 (1) (intro.) of the statutes first applies to property taxes that are levied based on assessments that are made as of January 1, 1999.

(11) FAILURE TO REPORT INFORMATION REGARDING COMPUTER EXEMPTION. The treatment of section 70.36 (1m) of the statutes first applies to failures to include information on property that is exempt under section 70.11 (39) of the statutes on a report under section 70.35 of the statutes that relates to January 1, 1999.

(12) CAR LINE COMPANIES, RATE OF TAXATION. The treatment of section 76.39 (2) 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 76.39 (2) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(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.

(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.

(15) EARNED INCOME TAX CREDIT, WISCONSIN WORKS. The treatment of section 71.07 (9e) (af) (intro.) and (afm) of the statutes first applies to taxable years beginning on January 1, 2001.

(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.

(17) CONSOLIDATED RETURNS. The treatment of sections 71.25 (5) (a) 9. and 10. and (b) 2., 71.255, 71.26 (3) (L), 71.29 (2), 71.44 (1) (e), 71.48 and 71.84 (2) (a) 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 71.25 (5) (a) 9. and 10. and (b) 2., 71.255, 71.26 (3) (L), 71.29 (2), 71.44 (1) (e), 71.48 and 71.84 (2) (a) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(18) ACTIVITIES THAT DO NOT CREATE NEXUS. The treatment of section 71.23 (3) (d) 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 71.23 (3) (d) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(19) FARMLAND PRESERVATION CREDIT.

(a) The treatment of sections 20.835 (2) (dm), 71.07 (3), 71.10 (4) (i), 71.28 (2), 71.30 (3) (f), 71.47 (2), 71.49 (1) (f), 71.58 (8), 71.59 (1) (a) and (b) (intro.) and (2) (intro.), 71.60 (1) (a) and (b) and 71.605 of the statutes first applies to taxable years beginning after December 31, 1998.

(b) The treatment of section 71.59 (1) (b) 5. and (d) (intro.) and 1. of the statutes first applies to taxable years beginning on January 1, 2001.

(20) MODIFICATION OF THE INDIVIDUAL INCOME TAX SYSTEM. The treatment of sections 71.01 (16), 71.05 (6) (b) 21. and 71.07 (5) (a) 7. of the statutes first applies to taxable years beginning on January 1, 2000.

(21) APPEALS TO THE DEPARTMENT OF REVENUE. The treatment of sections 70.64 (title), (1) to (3) (a) and (5) to (12), 70.75 (6) and 70.85 (4) (c) of the statutes first applies to appeals of assessments as of January 1, 2000.

(22) TAX APPEALS COMMISSION. The treatment of section 73.01 (1) (b), (3) (a) and (4) (a), (am), (b), (dn) and (e) (intro.) of the statutes first applies to appeals filed for taxable years beginning on January 1, 2000.

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.

(1) CONFIDENTIALITY OF CUSTOMER LISTS. The treatment of section 41.11 (4m) of the statutes first applies to requests for information from customer lists that are received on the effective date of this subsection.

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 the effective date of this subsection.

(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.

(3) PORTABLE SCALE CERTIFICATION. The treatment of sections 348.01 (2) (aj) and 348.15 (5) (intro.) of the statutes first applies to offenses committed on the effective

date of this subsection, but does not preclude the counting of other convictions as prior convictions for purposes of imposing a penalty.

(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.

(6) IMPLIED CONSENT HEARINGS DISCOVER. The treatment of section 343.305 (9) (a) (intro.) and (am) (intro.) of the statutes first applies to violations committed on the effective date of this subsection.

(7) INDIRECT COST REIMBURSEMENT. The treatment of section 20.395 (4) (ay) of the statutes first applies to reimbursements of costs incurred on the effective date of this subsection.

(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.) and (b) 1. of the statutes first applies to aid allocations or aid contracts for urban mass transit system operating expenses for calendar year 2000.

(10) WEIGHT LIMITS FOR MILK TRUCKS. The treatment of section 348.15 (3) (bg) of the statutes first applies to motor vehicles operated on the effective date of this subsection.

(11) FEES FOR COURT ORDERS SUSPENDING OR REVOKING OPERATING PRIVILEGES. The treatment of section 85.135 of the statutes first applies to operating privileges that are ordered suspended or revoked on the effective date of the rule promulgated under that section.

(12) RAILROAD GRADE CROSSINGS COMMITTEE. The treatment of section 195.28 (2) of the statutes first applies to orders under section 195.28 (1) of the statutes on the effective date of this subsection.

(13) OPERATORS' LICENSES ISSUED TO CHILDREN UNDER 18 YEARS OF AGE. The treatment of section 343.17 (3) (a) 13. of the statutes first applies to licenses issued on January 1, 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.

(1) CHILD CARE ADMINISTRATION. The treatment of sections 48.651 (1), (1g) and (2m), 48.653, 48.685 (1) (am), (2) (a) (intro.) (with respect to certifying agencies), (ad), (am) (intro.) (with respect to certifying agencies) and 5., (b) 4., (bd) and (bm), (3) (a)

(with respect to certifying agencies), (3m), (5) (a), (5c) (bm), (5m), (6) (a) and (8) (with respect to certifying agencies) and 49.155 (1) (am) and (b), (3) (a), (am) and (b) (intro.), (3m) (a), (c) and (d), (6) (a), (b) and (c) and (7) (a) of the statutes, the renumbering and amendment of sections 48.685 (6) (b) and 49.143 (2) (em) of the statutes and the creation of sections 48.685 (6) (b) 4. and 49.143 (2) (em) 2. of the statutes first apply to Wisconsin works agencies that entered into or renew contracts on the effective date of this subsection.

(2) RECEIPT OF FOOD STAMPS IN ACTIONS AFFECTING THE FAMILY. The treatment of section 767.075 (1) (c) of the statutes first applies to actions affecting the family that are pending on the effective date of this subsection.

(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.

SECTION 9358. Initial applicability; other.

(1) MUNICIPAL BOUNDARY REVIEW PROCEDURES. The treatment of section 66.021 (7) (d), (8) (a) and (11) (a) of the statutes first applies to annexation proceedings that commence with the filing of a petition under section 66.021 (2) (a) or (b) of the statutes on the effective date of this subsection.

(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.

(3) PRORATED PROPERTY TAXES FOR CERTAIN CONDEMNATIONS. The treatment of section 32.05 (7) (d) and (e) of the statutes first applies to jurisdictional offers that are served upon the owner, as specified in section 32.05 (6) of the statutes, on the effective date of this subsection.

(4) INJURIES RELATED TO COMPUTATIONAL DATE ERRORS. The treatment of sections 16.528 (3) (f), 19.37 (2) and (3), 66.285 (4) (f), 218.015 (7), 560.05 (3), 775.01 and 893.83 of the statutes first applies with respect to noncontractual injuries occurring or injuries occurring under contracts entered into, extended, modified or renewed 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.

(2) COMPUTER–BASED WISCONSIN LAND INFORMATION SYSTEM. The repeal of section 20.505 (1) (ik) and (kf) of the statutes takes effect on September 1, 2003.

(3) CONSOLIDATION OF APPROPRIATIONS. The treatment of section 20.505 (1) (ka) (by SECTION 519) of the statutes takes effect on September 1, 2003.

(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.

(6) SYNAR COMPLIANCE CHECKS. SECTIONS 9101 (16) of this act takes effect on February 28, 1999.

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.

(3) SALE AND DISTRIBUTION OF FEVER THERMOMETERS. The treatment of section 100.37 (2) (e) 2. e. of the statutes takes effect on the first day of the 13th month beginning after publication.

(4) MEAT AND POULTRY INSPECTION. The treatment of section 97.42 (4) (intro.) and (4m) of the statutes takes effect on January 1, 2000.

(5) POTENTIALLY HAZARDOUS FOOD. The treatment of section 97.30 (1) (bm) of the statutes takes effect on January 1, 2001.

(6) FARMLAND PRESERVATION CHANGES. The treatment of sections 23.094 (2) (c) 3., 66.023 (7m), 71.59 (1) (c) and (d) 1. and (2) (b) and (d), 71.60 (1) (b) and (c) 1. to 3. and 5. to 8., 91.01 (8), 91.06, 91.11 (1) (a) and (b), (2), (3) and (4), 91.13 (4) (a) and (8) (d), 91.14, 91.19 (2) (c) 1. e., (7), (8), (10), (12) and (13), 91.21 (3), 91.71, 91.73 (2), 91.75 (intro.), (1) and (6), 91.77 (2), 91.78, 91.79, 91.80 (1), 92.08 (1), 92.104, 92.105 (2), (3), (6) and (7) (b) to (d), 92.14 (2) (e), (3) (a), (4) (b) and (6) (c) 1. and 281.65 (5) (b), (d) and (e) and subchapters III and IV of chapter 91 of the statutes, the repeal of section 92.105 (7) (a) (title) of the statutes, the renumbering and amendment of sections 71.60 (2) and 92.105 (7) (a) of the statutes and the creation of section 71.60 (2) (b) of the statutes take effect on January 1, 2001.

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.

(1) INSPECTORS OF PRIVATE SEWAGE SYSTEMS. The treatment of sections 145.245 (3) (by SECTION 2213), 281.17 (3) and 281.48 (5) (a) 4. of the statutes takes effect on January 1, 2000.

(2) INSPECTION AND PUMPING OF SMALL SEWAGE SYSTEMS. The repeal and recreation of section 145.245 (3) of the statutes takes effect on the first day of the 13th month beginning after publication.

(3) PLUMBING LICENSES. The treatment of section 145.10 of the statutes takes effect on the first day of the 13th month beginning after publication.

(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 takes effect on July 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.

(6) SMALL SEWAGE SYSTEMS. The treatment of sections 20.143 (3) (de), 59.70 (1) and (5), 60.70 (5) and (6m), 60.726 (2), 60.77 (5) (b), (bm), (bs) and (j), 66.88 (11), 66.888 (1) (c) 3. a., 145.01 (4m), (5), (10) (b), (12) and (14m), 145.02 (4) (c), 145.20 (title), (1), (2) (intro.) (by SECTION 2200), (a) and (d) to (h), (3) (a), (b), (c) (by SECTION 2207) and (d) and (4), 145.24, 145.245 (title), (1) (a) 1. and (ae), (4) (intro.), (b) and (e), (4m), (5) (a) 1. (by SECTION 2221), 2. (by SECTION 2228) and 3., (5m) (a), (6), (7), (8) (a), (9) (b), (c) and (e), (11) (e), (11m) (b) to (d), (13) and (14) (d), 160.255 and 3.31 (1) of the statutes and the amendment of sections 20.320 (3), 145.19 (1), (2) (a), (3) (a), (4) to (7) and (9), 145.20 (1) (ar) and 281.59 (1m) (c) of the statutes take effect on January 1, 2000.

(7) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM INTEREST REIMBURSEMENT. The treatment of section 101.143 (4) (c) 8. of the statutes and SECTION 9310 (3) of this act take effect on November 1, 1999.

(8) RECYCLING MARKET DEVELOPMENT BOARD FUNDING. The repeal of section 287.46 (4) of the statutes and the repeal and recreation of section 20.143 (1) (L) of the statutes take effect on June 30, 2001.

(9) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM AWARDS. The treatment of sections 101.143 (4) (d) 2. a., b. and d. and 101.144 (2) (b) 1., (3g) and (3m) (a) 3. of the statutes and SECTION 9310 (5) of this act take effect on December 1, 1999.

SECTION 9411. Effective dates; corrections.

(1) SECURED GROUP HOMES.

(a) The renumbering and amendment of section 48.66 (1) of the statutes, the amendment of sections 16.385 (7), 19.35 (1) (am) 2. c., 20.410 (3) (ho), 46.036 (4) (a), 48.02 (17), 48.48 (9), 48.48 (9m), 48.48 (10), 48.66 (2m) (a), 48.66 (2m) (am), 48.66 (2m) (b), 48.66 (2m) (bm), 48.68 (1), 48.69, 48.715 (1), 48.715 (2) (a), 48.715 (2) (b), 48.715 (4) (intro.), 48.715 (5), 48.715 (6), 48.715 (7), 49.857 (1) (d) 3., 51.05 (2), 51.35 (3) (title), 51.35 (3) (a), 51.35 (3) (c), 51.35 (3) (e), 51.35 (3) (g), 73.0301 (1) (d) 2., 115.81 (9) (c), 118.125 (4), 165.76 (1) (a), 165.76 (2) (b) 2., 252.15 (1) (ab), 252.15 (2) (a) 7. a., 301.01 (2) (b), 301.01 (4), 301.027, 301.03 (10) (d), 301.03 (10) (e), 301.03 (10) (f), 301.08 (1) (b) 3., 301.205, 301.26 (4) (c), 301.26 (4) (cm) 1., 301.26 (4) (cm) 2., 301.26 (4) (dt), 301.26 (4) (e), 301.26 (4) (ed), 301.263 (3), 301.36 (1), 301.37 (1), 301.45 (1) (b), 301.45 (1) (bm), 301.45 (3) (a) 2., 301.45 (5) (a) 2., 938.02 (15g), 938.02 (15m), 938.02 (17), 938.069 (1) (dj), 938.08 (3) (a) (intro.), 938.08 (3) (a) 1., 938.08 (3) (a) 2., 938.08 (3) (b), 938.17 (1) (c), 938.183 (1) (a), 938.208 (2), 938.22 (title), 938.22 (1) (a), 938.22 (1) (b), 938.22 (1) (c), 938.22 (2) (a), 938.22 (3) (a), 938.22 (3) (b), 938.22 (7) (a), 938.22 (7) (b), 938.22 (7) (c), 938.23 (1) (a), 938.33 (3) (intro.), 938.33 (3) (a), 938.33 (3r), 938.34 (4m) (intro.), 938.34 (4n) (intro.), 938.34 (4n) (b), 938.34 (8d) (c), 938.345 (1) (a), 938.355 (1), 938.357 (3), 938.357 (4) (a), 938.357 (4g) (a), 938.357 (4g) (b),

938.357 (4g) (d), 938.357 (5) (e), 938.357 (5) (f), 938.38 (3) (a), 938.48 (4), 938.51 (1) (intro.), 938.51 (1m), 938.51 (4) (intro.), 938.533 (3) (a), 938.535, 938.538 (3) (a) 1., 938.538 (3) (a) 1m., 938.538 (3) (a) 1p., 938.538 (4) (a), 938.57 (1) (c), 938.57 (4), 938.59 (1), 938.78 (3), 939.635 (1), 939.635 (2) (b), 940.20 (2m) (a) 1., 946.42 (1) (a), 946.44 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7) (b), 973.013 (3m), 980.015 (2) (b), 980.02 (1) (b) 2., 980.02 (2) (ag), 980.02 (4) (am), 980.02 (4) (b) and 980.04 (1) of the statutes, the creation of sections 51.01 (14k), 51.01 (14m), 51.01 (14p), 301.01 (3k), 301.01 (3m), 301.01 (3p), 301.08 (1) (b) 4. and 938.02 (15p) of the statutes and SECTION 9311 (2) of this act take effect on January 1, 2000.

(b) The repeal and recreation of section 51.35 (3) (c) and (e) of the statutes takes effect on December 1, 2001.

SECTION 9412. Effective dates; court of appeals.

SECTION 9413. Effective dates; educational communications board.

SECTION 9414. Effective dates; elections board.

(1) CAMPAIGN FINANCE AND ELECTIONS BOARD COMPOSITION. SECTION 9158 (6) of this act takes effect on February 28, 1999.

SECTION 9415. Effective dates; employe trust funds.

(1) REFUNDS AND UNDERPAYMENTS. The treatment of section 40.08 (6) (e) and (7) (c) of the statutes and SECTION 9315 (1) and (2) of this act take effect on June 30, 2000.

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.

(1) UNIVERSAL BANKING. The treatment of section 220.04 (9) (a) 2. and chapter 222 of the statutes takes effect on the first day of the 3rd month beginning after publication.

SECTION 9421. Effective dates; governor.

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 of the statutes and the amendment of section 46.284 (2) (c) of the statutes take effect on July 1, 2001, on the day after publication of the 2001–03 biennial budget act, whichever is later.

(2) TUBERCULOSIS. The treatment of sections 252.10 (7) and 610.70 (1) (e) of the statutes takes effect on June 1, 1999, or on the day after publication, whichever is later.

(3) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. The repeal and recreation of section 46.45 (2) (a) of the statutes takes effect on July 1, 2001.

(4) BRIGHTER FUTURES INITIATIVE. The treatment of sections 20.435 (3) (fm), 20.9275 (2) (intro.), 46.48 (6), 46.715, 46.99 and 51.45 (5) of the statutes, the repeal of sections 46.995, 46.996 and 46.997 of the statutes and the repeal and recreation of section 20.435 (3) (eg) 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 October 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.

(9) BACKGROUND INVESTIGATIONS OF EMPLOYES AND CONTRACTORS WHO CARE FOR CHILDREN OR VULNERABLE ADULTS. The repeal and recreation of sections 48.685 (2) (ag) (intro.) and 50.065 (2) (ag) (intro.) of the statutes takes effect on October 1, 1999.

(10) LICENSING OF RADIOACTIVE MATERIAL. The treatment of section 254.365 of the statutes takes effect on January 1, 2003.

SECTION 9424. Effective dates; historical society.

SECTION 9425. Effective dates; Housing and Economic Development Authority.

(1) LOAN GUARANTEES FOR BUSINESSES AFFECTED BY GAMING. The repeal of section 20.505 (8) (hm) 6p. of the statutes takes effect on July 1, 2000.

(2) BIOTECHNOLOGY DEVELOPMENT FINANCE COMPANY. The repeal of section 20.490 (7) of the statutes takes effect on July 1, 2001.

SECTION 9426. Effective dates; insurance.

(1) GRANT TO ESTABLISH SMALL EMPLOYER HEALTH INSURANCE PURCHASING POOLS. The repeal of section 20.145 (1) (c) of the statutes takes effect on July 1, 2000.

(2) POINT–OF–SERVICE COVERAGE. The treatment of sections 111.91 (2) (r) and 609.23 of the statutes and SECTION 9326 (1) of this act take effect on the first day of the 6th month beginning after publication.

SECTION 9427. Effective dates; investment board.

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 January 1, 2000, or on the day after publication, whichever is later.

(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.

(4) PERMITS FOR NAVIGABLE WATERS; HEARING AND NOTICE REQUIREMENTS. The treatment of sections 30.01 (6b), 30.02, 30.12 (2), 30.123 (3), 30.135 (2) (a), (b) and

(c), (3) (a) and (b) (intro.), 1., 2. and 3., and (4), 30.14 (2), 30.18 (4) (a), 30.19 (3) (a), 30.195 (3) and (3m), 30.196 (intro.), 30.20 (3) and 236.16 (3) (d) (intro.) and (3m) of the statutes takes effect on September 1, 2001.

(5) GENERAL PERMITS FOR NAVIGABLE WATERS. The treatment of sections 30.206 (1), (1r) (title), (b), (c) and (d), (2), (3), (3m), (4), (6), (7) and (8m), 30.207 (title), (1), (1m), (2), (3) (title), (a) (b), (c) and (d) (intro.), 1. and 2., (4), (5), (6), (7) (title), (a), (b) and (c), (8), (9) (intro.), (a) and (b) and (10) and 30.28 (1), (2) (b) 1. and 2. and (2m) (am), (b) and (d) of the statutes, the renumbering and amendment of section 30.206 (5) of the statutes and the creation of section 30.206 (5) (title), (a), (b) and (d) of the statutes take effect on September 1, 2001.

(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.

(7) DRINKING WATER STUDY. The creation of sections 20.370 (6) (ck) and 20.505 (8) (hm) 17g. of the statutes takes effect on July 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.

SECTION 9437. Effective dates; personnel commission.

SECTION 9438. Effective dates; public defender board.

SECTION 9439. Effective dates; public instruction.

(1) TEACHER LICENSE RENEWAL. The treatment of section 118.19 (3m) of the statutes takes effect on the first day of the 13th month beginning after publication.

SECTION 9440. Effective dates; public lands, board of commissioners of.

SECTION 9441. Effective dates; public service commission.

(1) SUBMITTAL OF INFORMATION. The treatment of sections 196.02 (7m) of the statutes, the renumbering and amendment of section 196.14 of the statutes, the

creation of section 196.14 (2) of the statutes and SECTIONS 9141 (2) (a) and 9341 (2) (3) of this act take effect on the first day of the 6th month beginning after the effective date of this subsection.

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.

(2) TAX TREATMENT OF SALES OF TIME–SHARE PROPERTIES. The treatment of sections 77.25 (21), 77.255, 77.51 (4) (c) 6., 77.52 (2) (a) 1., 709.01 (1) and 799.01 (1) (am) of the statutes takes effect on the first day of the 2nd month commencing after publication.

(3) AD VALOREM TAXPAYERS, COMPUTER EXEMPTION. The treatment of sections 76.025 (1), 76.03 (1) and 76.81 of the statutes takes effect retroactively to January 1, 1999.

(4) COMPUTERIZED EQUIPMENT. The treatment of section 70.11 (40) of the statutes takes effect on the January 1 after publication.

(5) COMPROMISING NONDELINQUENT TAXES. The treatment of section 73.13 of the statutes takes effect on the first day of the 2nd month beginning after publication.

(6) RECERTIFICATION PROCEDURES FOR ASSESSORS. The treatment of section 73.09 (4) (c) of the statutes takes effect retroactively to January 1, 1999.

(7) APPORTIONMENT FACTORS. The treatment of sections 71.04 (4), (5) (intro.), (6) (intro.) and (7) (d), (dc), (dg), (dn) and (dr), 71.25 (6), (7) (intro.), (8) (intro.) and (9) (d), (dc), (dg), (dn) and (dr), 71.28 (4) (a) and (am) 1., 71.45 (3) (intro.) and (a) and (3m) and 71.47 (4) (a) and (am) of the statutes and the renumbering and amendment of section 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.

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.

(3) STATE TRAFFIC PATROL ADMINISTRATOR. The treatment of section 40.02 (48) (b) 4. of the statutes takes effect on January 1, 2000.

(4) SPECIAL OR SEASONAL WEIGHT LIMITATION SIGNS. The treatment of section 349.16 (2) of the statutes takes effect on July 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.

(5) WAGE–PAYING COMMUNITY SERVICE JOBS. The treatment of sections 20.445 (3) (dz) (by SECTION 467), 20.835 (2) (f) and (k), 49.147 (4) (c) 1g. and 3. (intro.), a. and b., 49.148 (1) (b) 2., 49.151 (1) (f), 49.175 (1) (b) 1. and 2. and 71.07 (9e) (af) (intro.) and (afm) of the statutes, the renumbering and amendment of section 49.175 (1) (qm) 1. of the statutes and the repeal of section 49.175 (1) (qm) 2. of the statutes take effect on January 1, 2001.

SECTION 9458. Effective dates; other.

(1) CULTURAL ARTS AUTHORITY. SECTION 9158 (3) of this act takes effect on February 28, 1999.

(END)